

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DEVONTE JAIER ROSS,
JASMINE CIERA-LENNETTE ROSS, and
STE'FAN QUATRELLE ROSS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SAMUEL WILLIE ROSS,

Respondent-Appellant,

and

TANESHA LATRELLE PULLUM,

Respondent.

UNPUBLISHED
December 14, 2004

No. 255556
Wayne Circuit Court
Family Division
LC No. 02-412297-NA

Before: Markey, P.J., and Fitzgerald and Owens, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent-appellant not only failed to complete the minimal requirements of the parent/agency agreement, but he deserted the children for a six-month period during the pendency of these proceedings and did not reinstate contact with them until tracked down by the foster care worker.

Respondent-appellant has waived his claim of ineffective assistance of counsel by failing to include the issue in the statement of questions presented on appeal. *People v Albers*, 258 Mich App 578, 584; 672 NW2d 336 (2003). Moreover, respondent-appellant cannot show that he was prejudiced by counsel's alleged errors, *People v Stanaway*, 446 Mich 643, 687-688; 521 NW2d 557 (1994), where he failed to participate in the treatment plan and chose to disengage

himself from all contact with the agency and his children during the pendency of these proceedings.

Affirmed.

/s/ Jane E. Markey

/s/ E. Thomas Fitzgerald

/s/ Donald S. Owens