

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CIERRA MONIQUE BURTON, a
Minor.

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

JAMES STRICKLAND,

Respondent-Appellant,

and

CAROLYN ANN BURTON,

Respondent.

UNPUBLISHED
November 1, 1996

No. 188524
LC No. 82-231779

Before: Sawyer, P.J., and Marilyn Kelly and D.A. Burrell,* JJ.

MEMORANDUM.

Respondent James Strickland appeals as of right from the May 23, 1995, order of the Wayne County Probate Court terminating his parental rights to the minor child under MCL 712A.19b; MSA 27.3178(598.19b). We affirm.

Although neither the referee nor the probate court order specified the statutory basis for termination, all parties on appeal agree that the order was based on at least two statutory grounds, namely, MCL 712A.19b(3)(c)(i) and (3)(g); MSA 27.3178(598.19b)(3)(c)(i) and (3)(g). The referee did not clearly err in finding that these statutory grounds were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Because only one statutory ground was required for termination, *In re Jackson*, 199 Mich App 22; 501 NW2d 182

* Circuit judge, sitting on the Court of Appeals by assignment.

(1993), we do not consider the arguments made on appeal regarding whether termination was also proper under MCL 712A.19b(3)(a)(ii) or (3)(i); MSA 27.3178(598.19b)(3)(a)(ii) or (3)(i).

Further, we hold that the referee did not abuse his discretion in recommending that termination of parental rights was in the best interests of the child. *In re Jackson, supra; In re McIntyre*, 192 Mich App 47; 480 NW2d 293 (1991). Accordingly, we find no basis for disturbing the probate court's decision to affirm the referee's recommendation. MCR 5.991(D).

Affirmed.

/s/ David H. Sawyer

/s/ Marilyn Kelly

/s/ Daniel A. Burrell