

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JAMES PHILLIPS, JAMIE
PHILLIPS, JESSIE PHILLIPS, and CHRISTINA
SHELTON, Minors.

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

JAMES C. PHILLIPS,

Respondent-Appellant,

and

MARLITA M. SHELTON,

Respondent.

Before: Jansen, P.J., and Wahls and P.R. Joslyn*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the juvenile court order terminating his parental rights to the minor children under MCL 712A.19b(3)(h); MSA 27.3178(598.19b)(3)(h). We affirm.

The juvenile court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, respondent-appellant failed to show that termination of his parental rights was clearly not in the children's best interests. *In re Hall-Smith*, 222 Mich App 470, 473; ___ NW2d ___ (1997). Thus, the juvenile court did not err in terminating respondent-appellant's parental rights to the children. MCL 712A.19b(5); MSA 27.3178(598.19b)(5).

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

Affirmed.

/s/ Kathleen Jansen

/s/ Myron H. Wahls

/s/ Patrick R. Joslyn