

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JULIUS T. BATTLE, Minor

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

PATRICIA BOYER,

Respondent-Appellant.

UNPUBLISHED

October 3, 1997

No. 201551

Jackson Probate Court

LC No. 96-018989-NA

Before: Markey, P.J., and Neff and Smolenski, JJ.

MEMORANDUM.

Respondent appeals as of right from the juvenile court order terminating her parental rights to the minor child under MCL 712A.19b(3)(g), (i), and (j); MSA 27.3178(598.19b)(3)(g), (i), and (j). We affirm.

The juvenile court did not err in finding that statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, respondent did not show that termination was not in the child's best interest. Thus, the juvenile court did not err in ruling that her parental rights should be terminated. MCL 712A.19b(5); MSA 27.3178(598.19b)(5), *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Finally, since the initial order denying petitioner's motion to terminate respondent's parental rights was not entered until December 31, 1996, the motion for rehearing, which was filed on or before January 13, 1997, was within the 21-day period set forth in MCR 5.992(A).

Affirmed.

/s/ Jane E. Markey

/s/ Janet T. Neff

/s/ Michael R. Smolenski