

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JOHNATHON DORR and DESTINI
BIGELOW, Minors.

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

LEONARD HICKS,

Respondent-Appellant,

and

DANIEL DORR, JEFFREY LANDON, a/k/a
JEFFREY LANDING, DANNY BEMUS, and
DONALD CADARETTE, a/k/a DONALD BOWERS,

Respondents.

Before: Doctoroff, P.J., and Cavanagh and Saad, J.J.

MEMORANDUM.

Respondent-appellant appeals by leave granted from the juvenile court order that terminated his parental rights to minor child Johnathon Dorr under MCL 712A.19b(3)(g); MSA 27.3178(598.19b)(3)(g). We affirm.

Any error resulting from the juvenile court's allowance of notice by publication of the termination proceeding does not require reversal because respondent-appellant was not entitled to notice of the proceeding. Respondent-appellant was not a noncustodial parent for purposes of the statutory notice requirements, MCL 712A.12; MSA 27.3178(598.12), since he had not established paternity of the child in a legally recognized manner. *In re Gillespie*, 197 Mich App 440, 443-446; 496 NW2d 309 (1992).

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 child's best interests. *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the juvenile court did not err in terminating respondent-appellant's parental rights to the child. MCL 712A.19b(5); MSA 27.3178(598.19b)(5).

Affirmed.

/s/ Martin M. Doctoroff

/s/ Mark J. Cavanagh

/s/ Henry W. Saad