

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of CRYSTAL GOODWIN, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CHARLES GOODWIN,

Respondent-Appellant.

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UNPUBLISHED  
October 10, 1997

No. 195894  
Macomb Juvenile Court  
LC No. 94-039602

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

MEMORANDUM.

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

The juvenile court did not clearly err in finding that the 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 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's parental rights to the child. MCL 712A.19b(5); MSA 27.3178(598.19b)(5).

The juvenile court did not abuse its discretion by permitting notice of the proceedings by publication, and any error in the notice was harmless. Notice of two proceedings was made by publication. Based on the testimony presented at the termination hearing, we believe the referee reasonably concluded that notice by publication with regard to the adjudication hearing was appropriate because respondent's whereabouts were unknown. Although notice of a termination hearing was made by publication to John Doe, rather than to respondent by name, the error was harmless because notice of a second termination hearing was given to respondent and a writ of habeas corpus was given to the facility where he was incarcerated. Respondent appeared at that hearing, challenged the juvenile court's personal jurisdiction, and presented his own testimony.

Affirmed.

/s/ Martin M. Doctoroff

/s/ Mark J. Cavanagh

/s/ Henry W. Saad