

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of YOVAN DECHENTE SOTO
and SANTIEL NIEVES, Minors,

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LUZ SOTO, a/k/a LUZ PEREZ,

Respondent-Appellant,

and

VINCENTE SOTO and ISMAEL AVILA,

Respondents.

Before: MacKenzie, P.J., and Hood and Hoekstra, JJ.

MEMORANDUM.

Respondent-appellant appeals by delayed application granted from the juvenile court order terminating her parental rights to the minor children under MCL 712A.19b(3)(g) and (j); MSA 27.3178(598.19b)(3) (g) and (j). We affirm.

As determined previously by this Court in its memorandum opinion in Docket Nos. 193386 and 195149, the juvenile court did not improperly rely upon inadmissible hearsay evidence in its factual findings in terminating respondent-appellant's parental rights. Further, collateral estoppel precludes consideration of this issue. *Hawkins v Murphy*, 222 Mich App 664, 672; 565 NW2d 674 (1997). Next, 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). Finally, the court did not clearly err in determining that respondent-appellant had not shown that termination was not in the best interests of the children. *In re Hall-Smith*, 222 Mich App 470; 564 NW2d 156 (1997); MCL 712A.19b(5); MSA 27.3178(598.19b)(5).

Affirmed.

/s/ Barbara B. MacKenzie

/s/ Harold Hood

/s/ Joel P. Hoekstra