

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SHANIA JEAN GARD, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CAROL GARD,

Respondent-Appellant.

UNPUBLISHED

December 19, 1997

No. 204382

Branch Juvenile Court

LC No. 96-000180-NA

Before: MacKenzie, P.J., and Hood and Hoekstra, 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)(c)(i); MSA 27.3178(598.19b)(3)(c)(i). This appeal is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

Respondent was not entitled to a jury determination on the question of whether her parental rights should be terminated. See *In re Brock*, 442 Mich 101,108; 499 NW2d 752 (1993). Further, 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); *In re Hall-Smith*, 222 Mich App 470; 564 NW2d 156 (1997).

Affirmed.

/s/ Barbara B. MacKenzie

/s/ Harold Hood

/s/ Joel P. Hoekstra