

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MARKEITH JAMAL HARMON,
WELDON WINSTON WARD, III, WELDONTA
DAVID WARD, WELDONTIANA LYNNETTE
WARD, and WELDONDIONNA ANNETTE
WARD, Minors

UNPUBLISHED
February 27, 1998

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

WELDON WARD, II,

Respondent-Appellant,

and

DEBORAH WALTON and L.C. HARMON,

Respondents.

No. 198370
Genesee Juvenile Court
LC No. 93-096320-NA

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

PER CURIAM.

Respondent Weldon Ward, II, appeals by right the juvenile court order terminating his parental rights to his two daughters, Weldontiana Lynnette Ward and Weldondionna Annette Ward, under MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) and (j). We affirm.

Petitioner presented clear and convincing evidence that termination of respondent's parental rights was warranted under the subsections cited and therefore the juvenile court's decision to terminate his rights was not clearly erroneous. *In re Hall-Smith*, 222 Mich App 470, 472; 564 NW2d 156 (1997).

Respondent's sole argument on appeal is that the juvenile court should not have terminated his parental rights because the children could have been placed with relatives. We disagree. First, the issue has not been preserved for appeal because respondent did not raise it below, *McCready v Hoffius*, 222 Mich App 210, 218; 564 NW2d 493 (1997), and has not cited any case law or other authority in support of his position. *In re Futch*, 144 Mich App 163, 166; 375 NW2d 375 (1984). Second, the law does not require the court to refrain from ordering termination where the child could be placed with relatives. *In re Hamlet*, 225 Mich App 505, 520; ___ NW2d ___(1997); *In re McIntyre*, 192 Mich App 47, 52; 480 NW2d 293 (1991). Third, the evidence did not establish that the proposed custodians could provide proper care and custody of the children. In fact, the maternal aunt, who had cared for one child in the past, demonstrated an inability to properly care for this child. The maternal grandmother had had no contact with the other child and was living with the other child's mother. Therefore, placement of the other child with the grandmother would have been tantamount to returning the child to the mother's care, which clearly would be inappropriate because the court had terminated the mother's parental rights to the other child. *In re Brown*, 139 Mich App 17, 20-21; 360 NW2d 327 (1984).

Affirmed.

/s/ Jane E. Markey
/s Martin M. Doctoroff
/s/ Michael R. Smolenski