

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MICHAEL DEWAYNE BATES,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

FRANK CARTER, JR.,

Respondent-Appellant,

and

SARAH BATES,

Respondent.

UNPUBLISHED

April 3, 1998

No. 206636

Kalamazoo Juvenile Court

LC No. 97-000037 NA

Before: Bandstra, P.J., and MacKenzie and N.O. Holowka*, JJ.

PER CURIAM.

Respondent Carter 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. This case has been decided without oral argument pursuant to MCR 7.214(E).

The juvenile court did not clearly err in finding that at least one statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I); *In re Hall-Smith*, 222 Mich App 470; 564 NW2d 156 (1997). Further, the juvenile court did not clearly err in terminating respondent Carter's parental rights. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, *supra* at 472-473. Respondent Carter's reliance on *In the Matter of Curry*, 113 Mich App 821; 318 NW2d

* Circuit judge, sitting on the Court of Appeals by assignment.

567 (1982), to demonstrate error is misplaced because the instant case involves a dispositional decision on whether parental rights should be terminated, rather than a question on whether the juvenile court could exercise jurisdiction over the minor child. See *In re McIntyre*, 192 Mich App 47, 52; 480 NW2d 293 (1991).

We affirm.

/s/ Richard A. Bandstra
/s/ Barbara B. MacKenzie
/s/ Nick O. Holowka