

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of LINDA PEARL CIELMA, KATHY ANN CIELMA and DANIEL MICHAEL CIELMA,
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
August 10, 1999

v

SUSAN FAE CIELMA, a/k/a SUSAN FAE LINDLEY,

No. 215229
Wayne Circuit Court
Family Division
LC No. 96-339377

Respondent-Appellant,

and

JOHN CIELMA,

Respondent.

Before: White, P.J., and Markey and Wilder, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the family court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i); MSA 27.3178(598.19b)(3)(c)(i). We affirm.

The trial 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). Further, respondent-appellant failed to show that termination of her parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997).

Respondent-appellant contends, alternatively, that trial counsel was ineffective for failing to present evidence that termination of her parental rights was clearly not in the children's best interests. However, because respondent-appellant failed to move for a new trial or request an evidentiary hearing on this issue in the trial court, appellate review is precluded unless the record contains sufficient detail to support respondent-appellant's claim. *People v Barclay*, 208 Mich App 670, 672; 528 NW2d 842 (1995). To establish ineffective assistance of counsel, respondent-appellant must show that counsel's performance fell below an objective standard of reasonableness under prevailing norms and that there is a reasonable probability that, but for counsel's alleged error, the result of the proceedings would have been different. *People v Effinger*, 212 Mich 67, 69; 536 NW2d 809 (1995). Here, respondent-appellant does not indicate, nor is it apparent from the record, what favorable evidence, if any, could have been presented. Thus, respondent-appellant has not established entitlement to relief due to ineffective assistance of counsel.

Affirmed.

/s/ Helene N. White
/s/ Jane E. Markey
/s/ Kurtis T. Wilder