

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ADONNIS TATUM and
HYPASHA KITCHEN, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
February 2, 2001

v

VIVIAN MCINTOSH,

Respondent-Appellant,

No. 226702
Muskegon Circuit Court
Family Division
LC No. 91-018310-NA

and

GENE TATUM and RICHARD KITCHEN,

Respondents.

Before: Collins, P.J., and Doctoroff and White, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the order terminating her parental rights to the minor child, Hypasha Kitchen, under MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) and (j). We affirm.

Although the circuit court failed to state a statutory basis for termination in the order or on the record, appellate relief is not warranted because it is clear from the record and the context of the proceedings that the court relied on §§ 19b(3)(c)(i), (g) and (j) as the statutory bases for termination. Cf. *In re Toler*, 193 Mich App 474, 476; 484 NW2d 672 (1992). The court did not clearly err in finding that those 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). Further, the evidence did not show that termination of respondent-appellant's parental rights was

clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the family court did not err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Jeffrey G. Collins

/s/ Martin M. Doctoroff

/s/ Helene N. White