

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KAI AJAINE DAVISON, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MICHAEL CHAMBERS,

Respondent-Appellant.

UNPUBLISHED

February 12, 1999

No. 211503

Wayne Juvenile Court

LC No. 95-328800

Before: Gribbs, P.J., and Saad and P. H. Chamberlain,* JJ.

MEMORANDUM.

Respondent appeals as of right from the juvenile court order terminating the parental rights of the minor child's father, whose identity was unknown and could not be determined, under MCL 712A.19b(3)(a)(i) and (g); MSA 27.3178(598.19b)(3)(a)(i) and (g). We affirm.

Respondent asserts that he is the minor child's putative father and was denied due process of law when he did not receive notice and an opportunity to be heard before the court terminated the parental rights of the minor child's father. Due process requires that putative fathers be afforded notice and an opportunity to be heard before their parental rights are terminated. *In re Barlow*, 404 Mich 216, 227 n1, 229; 273 NW2d 35 (1978); *In re Kozak*, 92 Mich App 579, 582; 285 NW2d 378 (1979). A putative father is a man who is "reputed, supposed or alleged to be the biological father of a child." *Girard v Wagenmaker*, 173 Mich App 735, 740; 434 NW2d 227 (1998), rev'd on other grounds, 437 Mich 149; 470 NW2d 372 (1991). Here, respondent was not "reputed, supposed or alleged to be the biological father of the child." Nor did respondent ever come forward alleging that he was the father of the child before parental rights were

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

terminated. Accordingly, respondent was not a putative father entitled to notice and an opportunity to be heard and his argument is without merit.

Affirmed.

/s/ Roman S. Gibbs

/s/ Henry William Saad

/s/ Paul H. Chamberlain