

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MIRANDA CARPENTER and
JUSTIN MARTZ, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHERRI MARTZ and SCOTT ALLEN MARTZ,

Respondents-Appellants,

and

RONALD BELTER,

Respondent.

UNPUBLISHED

August 6, 1999

No. 215508

Wexford Circuit Court

Family Division

LC No. 97-001927 NA

Before: Sawyer, P.J., and Holbrook, Jr., and W. E. Collette,* JJ.

MEMORANDUM.

Respondent-appellant Sherri Martz appeals as of right from the family court order terminating her parental rights to her two minor children, and respondent-appellant Scott Martz appeals as of right from the order terminating his parental rights to his minor son. Respondents-appellants' parental rights were terminated under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). We affirm.

After reviewing the record, we conclude that the family court did not clearly err in finding that the 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 court did not err in finding that the presumption in favor of termination thereby raised was not overcome by a showing that

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

termination of respondent-appellants' parental rights "is clearly not in the child's best interests." MCL 712A.19b(5); MSA 27.3178(598.19b)(5). Accord *In re Huisman*, 230 Mich App 372, 385; 584 NW2d 349 (1998). Therefore, we hold that the juvenile court did not err in terminating respondent-appellants' parental rights. *In re Hall-Smith*, 222 Mich App 470, 473; 564 NW2d 156 (1997).

Affirmed.

/s/ David H. Sawyer

/s/ Donald E. Holbrook, Jr.

/s/ William E. Collette