

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of TENIA CHAPMAN, RODERICK  
CHAPMAN and ATLANTIS CHAPMAN, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

THERON CHAPMAN,

Respondent-Appellant,

and

TYRONE NOBEL and PATRICIA BERRY,

Respondents.

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UNPUBLISHED

September 17, 1999

No. 217181

Kent Circuit Court

Family Division

LC No. 95-000631 NA

Before: Markman, P.J., and Saad and P.D. Houk,\* JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the family court order terminating his parental rights to the minor children. We affirm.

Only one statutory ground is required to terminate parental rights. *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). Although the statutory grounds for termination were not explicitly stated on the record, it is clear from the family court's statements, particularly the court's reference to the allegations in the petition, that, at a minimum, the court relied on MCL 712A.19b(3)(g); MSA 27.3178(598.19b)(3)(g) as a statutory basis for termination. Cf. *In re Toler*, 193 Mich App 474, 476; 484 NW2d 672 (1992). Moreover, the family court did not clearly err in finding that § 19b(3)(g) was

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

established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

Next, while the family court failed to make a finding of fact on the record that termination of respondent-appellant's parental rights was in the children's best interests, the court's order expressly indicates that termination was found to be in the best interests of the children. In any event, the burden was on respondent-appellant to come forward with evidence that termination 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). Because respondent-appellant failed to present any evidence that termination of his parental rights was clearly not in the children's best interests, the family court properly terminated his parental rights. *Id.*

Affirmed.

/s/ Stephen J. Markman

/s/ Henry William Saad

/s/ Peter D. Houk