

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SEBASTIAN GAUGE ZACK,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DENNIS W. MORSE,

Respondent-Appellant.

UNPUBLISHED
January 25, 2005

No. 256680
Cass Circuit Court
Family Division
LC No. 02-000201

Before: Hoekstra, P.J., and Cavanagh and Borrello, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(g). We affirm.

The trial court did not clearly err in determining that the statutory ground for termination had been established by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1993). The record does not support respondent's argument that the trial court showed a bias and vindictiveness toward respondent. While the trial court noted that respondent lived in a residential juvenile program shortly after the minor child was born, the court made mention of this fact as evidence that respondent was not consistently involved in the minor child's life. The trial court pointed to the fact that respondent joined the Air Force for the same reason. At a time when the minor child really needed consistency and the support of his parents, respondent left for a period of time and had no contact with the minor child. The trial court's decision focused on the fact that respondent did not make choices that showed that he could provide the minor child with proper care and custody. Prior to the court's involvement with the minor child, respondent was aware that the minor child's mother was involved in drugs and had difficulty parenting the minor child and respondent did not make any attempts to obtain custody of the minor child. When the court did get involved, respondent stated that he wanted custody, yet when a home study was done, he told the interviewer that he did not want to split up the minor child and his half-siblings. Respondent did not take his role as a parent seriously. He showed up late for visitation, he missed some visits, he disappeared for several months when he went into the military, and he did not follow up with the minor child's counselor or school activities. He did not take an active role

in parenting and was not consistent in the role that he did take. The court did not clearly err when it found that MCL 712A.19b(3)(g) was met by clear and convincing evidence.

Furthermore, the evidence did not show that termination of respondent' parental rights was contrary to the best interests of the minor child. MCL 712A.19b(5). The evidence was clear that the minor child had a very strong bond with his half-siblings and that severing that bond would be extremely detrimental to his well being. In addition, the evidence did not show a strong bond between the minor child and respondent, and respondent's actions during the period that the court had temporary custody of the minor child were not consistent with a parent making every effort to have a strong bond with a child. In general, respondent left the responsibility of parenting to others. The minor child had been in temporary custody for two years and needed consistency and stability.

Affirmed.

/s/ Joel P. Hoekstra

/s/ Mark J. Cavanagh

/s/ Stephen L. Borrello