

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CHRISTIAN STAMPER, Minor.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
April 6, 2006

Petitioner-Appellee,

v

MICHAEL STAMPER,

Respondent-Appellant.

No. 265097
Wayne Circuit Court
Family Division
LC No. 05-441300-NA

Before: Smolenski, P.J., and Owens and Donofrio, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the order terminating his parental rights pursuant to MCL 712A.19b(3)(b)(i), (g), (h), (j), (k), and (n). We affirm.

Respondent-appellant does not challenge the statutory grounds relied upon by the trial court to terminate his parental rights. Rather, he contends that he should have been allowed additional time to establish paternity. We disagree.

Respondent-appellant was not married to the child's mother and did not adopt the minor child. At the June 14, 2005 hearing, respondent-appellant stated that he acknowledged paternity of the minor child. However, he refused to sign the affidavit. Therefore, respondent-appellant was not the "father" of the child under MCR 3.903(A)(7). Consequently, respondent-appellant also is not the child's "parent" as that term is defined in MCR 3.903(A)(17).

Although respondent-appellant is not the child's "father" or "parent," he was the child's "putative father" because the child's mother named him as the child's biological father. On appeal, respondent-appellant contends that once the trial court learned that he did not sign the affidavit establishing paternity, the court should have extended the time for him to establish his status as the child's father. MCR 3.921(C)(2)(b) provides that the putative father be allowed 14 days to establish his relationship with the child and provides that the court may extend the time period for "good cause shown." Respondent-appellant failed to establish a relationship in the 14-day time period and failed to request that the trial court extend this time period. Because respondent-appellant failed to request an extension of the 14-day period and, on appeal, fails to show what facts constitute "good cause," this issue is not preserved for appellate review. *Weiss v*

Hodge (After Remand), 223 Mich App 620, 637; 567 NW2d 468 (1997); *Phinney v Perlmutter*, 222 Mich App 513, 544; 564 NW2d 532 (1997).

Petitioner argues that because respondent-appellant is not a “respondent” within the meaning of MCR 3.903(C)(10) and MCR 3.977(B),¹ he is not entitled to appeal the order terminating his parental rights. MCR 3.977(I)(1)(a) provides that the *respondent* is entitled to appellate review of the order terminating parental rights. Based on the plain language of MCR 3.977(I)(1)(a), we agree that respondent-appellant, who does not come within the definition of “respondent” found in the court rules, is not entitled to appellate review of the order terminating his parental rights.

Affirmed.

/s/ Michael R. Smolenski
/s/ Donald S. Owens
/s/ Pat M. Donofrio

¹ MCR 3.903(C)(10) defines “respondent” as the parent, guardian, legal custodian, or nonparent adult who is alleged to have committed an offense against a child. MCR 3.977(B) defines “respondent” as the father of the child as defined by MCR 3.903(A)(7).