

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DEVONTE DEMARCO SMITH,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

LEPOLIAN COOKE,

Respondent-Appellant.

UNPUBLISHED

September 10, 2009

No. 290630

Wayne Circuit Court

Family Division

LC No. 03-422673-NA

Before: M. J. Kelly, P.J., and K. F. Kelly and Shapiro, JJ.

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(a)(ii), (c)(i), (g), (j), and (k)(i). We affirm. This appeal has been decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that §§ 19b(3)(a)(ii) was established by clear and convincing evidence. MCR 3.977(G); MCR 3.977(J); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000). After attending the trial, respondent did not make himself available for participation in services, did not respond to the many efforts to contact him, and never contacted the child, with whom he had no discernible bond. Because the trial court properly found that termination was justified under §§ 19b(3)(a)(ii), it is unnecessary to address the additional statutory grounds for termination. *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000).

Further, the trial court did not clearly err in finding that termination of respondent's parental rights was in the child's best interests. MCL 712A.19b(5). Thus, the trial court did not clearly err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Michael J. Kelly

/s/ Kirsten Frank Kelly

/s/ Douglas B. Shapiro