

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JANAKA NICOLE EDMOND,¹
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

FREDERICK SHEARS,

Respondent-Appellant.

UNPUBLISHED

June 30, 2005

No. 257934

Lenawee Circuit Court

Family Division

LC No. 01-000612-NA

Before: Cooper, P.J., and Fort Hood and R. S. Gribbs*, JJ.

PER CURIAM.

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

Respondent first argues that the trial court should not have terminated his parental rights to the child because his sister was willing to care for the child in his stead. The trial court is not required to place a child with relatives. *In re IEM*, 233 Mich App 438, 453; 592 NW2d 751 (1999). If it is in the best interests of the child, the court may properly terminate parental rights instead of placing the child with relatives. *Id.*; *In re McIntyre*, 192 Mich App 47, 52; 480 NW2d 293 (1991). Moreover, the evidence established that the paternal relative's home did not provide the permanence that Janika needed. Although Janika had been placed with the relative for over a year, the relative did not follow through with obtaining guardianship of the child as planned.

We also find the trial court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence failed to show that termination of respondent-appellant's parental rights was clearly not in the best interests of the child. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612

¹ The minor's name was apparently misspelled on the termination order. Her correct name is Janika Nicole Edmond.

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

NW2d 407 (2000). Respondent had been in prison for a significant portion of the child's life and would remain incarcerated for at least an additional fourteen months.

Affirmed.

/s/ Jessica R. Cooper
/s/ Karen M. Fort Hood
/s/ Roman S. Gibbs