

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

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In the Matter of PRESTON STEVENSON, Minor.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

UNPUBLISHED  
September 29, 2005

v

CARLER STEVENSON, a/k/a CARLA  
STEVENSON,

No. 259642  
Kent Circuit Court  
Juvenile Division  
LC No. 04-053202-NA

Respondent-Appellant.

and

TOMMY BROOKS,

Respondent.

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Before: Saad, P.J., and Jansen and Markey, JJ.

MEMORANDUM.

Respondent appeals from the trial court's order that terminated her parental rights to the minor child under MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (l). This order followed respondent's voluntary relinquishment of her parental rights at the termination hearing. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Respondent was not denied her due process right to notice of the preliminary hearing. The record shows that the FIA caseworker told respondent the date of the preliminary hearing over the phone; then when the time was set, the caseworker told respondent's mother, who was asked to advise respondent of the specific time of the hearing. The trial court found that a reasonable attempt at notice had been made, and we agree. MCR 3.965(B)(1).

Also, the trial court's advice of rights given before respondent's guilty plea to the amended petition does not mandate reversal. Although the court did not follow MCR 3.971(B) exactly, we find that the court substantially complied with the court rule and that respondent knew the consequences of her plea. The record shows that respondent's attorney advised respondent of the consequences of her plea. Reversal is not required.

Further, we find that the trial court did not abuse its discretion, when, in response to respondent's request, the court transferred this case from Ionia County to Kent County, the county of the minor child's residence. Although the case was transferred after adjudication, it was respondent who requested the transfer, and she in fact made her plea at the adjudication hearing in exchange for a promise that the case would transfer to Kent County. Because she requested the transfer, she cannot now argue that the case should not have been transferred.<sup>1</sup>

Affirmed.

/s/ Henry William Saad

/s/ Kathleen Jansen

/s/ Jane E. Markey

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<sup>1</sup> We also find that the trial court did not err in scheduling the permanency planning hearing three months after the dispositional hearing. MCL 712A.19a requires that a permanency planning hearing be scheduled within twelve months of the date the minor child is removed from his or her home. Here, the minor child was removed on August 5, 2003, and the permanency planning hearing was held on July 15, 2004. This time frame was required by statute, and thus reversal is not required.