

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SHAINA DUEL, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

STEVEN DUEL,

Respondent-Appellant.

UNPUBLISHED
September 25, 2007

No. 275549
Ingham Circuit Court
Family Division
LC No. 00-067040-NA

In the Matter of KALAN MICHAEL DUEL and
LUKAS MARSHALL DUEL, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

STEVEN DUEL,

Respondent-Appellant.

No. 275550
Ingham Circuit Court
Family Division
LC No. 00-033139-NA

Before: Schuette, P.J., and Hoekstra and Meter, JJ.

MEMORANDUM.

In this consolidated case, respondent appeals as of right from trial court orders terminating his parental rights to three minor children. We affirm.

Respondent raises issues relating to the adjudication trial. He contends that the trial court, by refusing to writ him out of prison to attend the trial, violated his right to due process. He also contends that the court erroneously interpreted the Michigan Court Rules. While we have serious reservations about the trial court's refusal to allow respondent to attend his trial in

person, we nonetheless decline to hear this appeal. These issues are not properly before this Court.

Following the trial, the court issued orders of adjudication, making the minor children subject to the jurisdiction of the court. To have a right of appeal from this exercise of the trial court's jurisdiction, respondent needed to appeal from those orders rather than collaterally attacking jurisdiction after the termination of his parental rights. *In re Gazella*, 264 Mich App 668, 679-680; 692 NW2d 708 (2005); *In re Hatcher*, 443 Mich 426, 438-439; 505 NW2d 834 (1993). Because respondent appealed from the termination orders instead of the orders of adjudication, we affirm the court's final orders.

Affirmed.

/s/ Bill Schuette

/s/ Joel P. Hoekstra

/s/ Patrick M. Meter