

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MERCEDES SUTTON and WENDY SUTTON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ARLENE SUTTON,

Respondent-Appellant,

and

TOD SUTTON,

Respondent.

UNPUBLISHED

October 5, 1999

No. 217465

Midland Circuit Court

Family Division

LC No. 98-000233 NA

Before: Griffin, P.J., and Zahra and Pavlich*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from a family court order terminating her parental rights to the minor children under MCL 712A.19b(3)(b)(ii), (g) and (j); MSA 27.3178(598.19b)(3)(b)(ii), (g) and (j). We affirm.

It is necessary to establish only one statutory ground for termination, MCL 712A.19b(3); MSA 27.3178(598.19b)(3), in order to terminate parental rights. *In re Huisman*, 230 Mich App 372, 384-385; 584 NW2d 349 (1998). Here, we conclude that the family court did not clearly err in finding that § 19b(3)(g) was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Accordingly, we need not decide whether termination was also proper under §§ 19b(3)(b)(ii) and (j). *In re Huisman, supra*. Because respondent-appellant failed to

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

show that termination was clearly not in the children's best interests, MCL 712A.19b(5); MSA 27.3178(598.19b)(5), the family court did not err in terminating her parental rights to the children. *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997).

Affirmed.

/s/ Richard Allen Griffin

/s/ Brian K. Zahra

/s/ Scott L. Pavlich