

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of THOMAS DALE WILSON, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MICHAEL WILSON,

Respondent-Appellant,

and

WENDY KING,

Respondent.

UNPUBLISHED

May 26, 2000

No. 223190

Kalamazoo Circuit Court

Family Division

LC No. 98-000048-NA

Before: Hood, P.J., and Saad and O'Connell, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the family court's order terminating his parental rights to the minor child under MCL 712A.19b(3)(j); MSA 27.3178(598.19b)(3)(j). We affirm.

The family court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent-appellant's physical abuse of his live-in girlfriend's children was probative of how he would treat the minor child. *In re Powers*, 208 Mich App 582, 588; 528 NW2d 799 (1995). Further, respondent-appellant failed to present evidence that termination was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Boursaw*, 239 Mich App 161, 179-180; ___ NW2d ___ (1999); *In re*

Hall-Smith, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the court did not err in terminating respondent-appellant's parental rights.

Affirmed.

/s/ Harold Hood

/s/ Henry William Saad

/s/ Peter D. O'Connell