

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 13, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

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In the Matter of the Application for
Approval of an Instrument Concerning

Zavion O.,

A Child Subject of a Foster Care
Placement Proceeding under Social
Services Law § 358-a.

Administration for Children's Services,
Petitioner-Respondent,

M-3298
Docket No. L-2512/17

Donna O.,
Respondent.

Dawne A. Mitchell, Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child-Appellant.

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Leave having been sought to appeal from an interlocutory order of the Family Court, New York County, entered on or about June 29, 2018, and a motion having been made to stay the execution of the arrest warrant issued pursuant to said June 29, 2018 order, pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that leave to appeal is granted. That portion of the motion seeking a stay of the arrest warrant is granted on condition that appellant perfects the appeal on or before October 1, 2018 for the December 2018 Term. Assuming the appeal is so perfected, the Clerk is directed to calendar the appeal, to be maintained on said December 2018 Term. Further, Administration for Children's Services may move before this Court to modify or vacate the stay of execution of the arrest warrant, upon a showing that diligent efforts have been made to locate and secure Zavion O., and that such efforts have been unsuccessful,

ENTERED:


CLERK