

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

D13082  
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Argued - November 2, 2006

HOWARD MILLER, J.P.  
GABRIEL M. KRAUSMAN  
STEVEN W. FISHER  
MARK C. DILLON, JJ.

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2006-03396

DECISION & ORDER

In the Matter of Rachel L. Crowe, petitioner-respondent,  
v Lauren J. McKay, respondent-respondent, William T.  
Lai, appellant.

(Docket No. V-8794-05)

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Denis A. Weinstock, Mineola, N.Y., for appellant.

Darelle C. Cairo, Miller Place, N.Y., Law Guardian for the child.

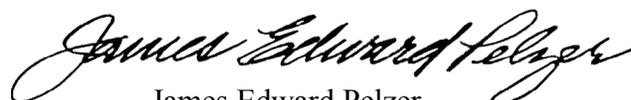
In a child custody proceeding pursuant to Family Court Act article 6, the father appeals from an order of the Family Court, Suffolk County (Lynaugh, J.), dated March 10, 2006, which, after a hearing, granted the maternal aunt's petition to change custody of the subject child from the parents to her.

ORDERED that the appeal is dismissed as academic, without costs or disbursements.

Since the subject child is now over the age of 18, she is no longer subject to the order changing custody (*see Matter of Lozada v Pinto*, 7 AD3d 801). Accordingly, the appeal has been rendered academic.

MILLER, J.P., KRAUSMAN, FISHER and DILLON, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 19, 2006

MATTER OF CROWE v McKay