

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

D14380
W/hu

_____AD3d_____

Argued - February 27, 2007

REINALDO E. RIVERA, J.P.
DAVID S. RITTER
GLORIA GOLDSTEIN
DANIEL D. ANGIOLILLO, JJ.

2006-10843

DECISION & ORDER

In the Matter of Vanessa B. (Anonymous).
Commissioner of the New York City Administration
for Children's Services, appellant; George A.
(Anonymous), et al., respondents.
(Proceeding No. 1)

In the Matter of Daron N. (Anonymous).
Commissioner of the New York City Administration
for Children's Services, appellant; George A.
(Anonymous), et al., respondents.
(Proceeding No. 2)

In the Matter of Derrick N. (Anonymous).
Commissioner of the New York City Administration
for Children's Services, appellant; George A.
(Anonymous), et al., respondents.
(Proceeding No. 3)

(Docket Nos. NA-35391/06, NA-35392/06,
NA-35393/06)

Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Stephen J. McGrath
and Alan Beckoff of counsel), for appellant.

March 20, 2007

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MATTER OF B. (ANONYMOUS), VANESSA
MATTER OF N. (ANONYMOUS), DARON
MATTER OF N. (ANONYMOUS), DERRICK

Schwartz Grossman, LLP, New York, N.Y. (Steven T. Schwartz of counsel), for respondent George A.

Michael D. Carlin, New York, N.Y., for respondent Rebecca N.

Steven Banks, New York, N.Y. (Judith Waksberg and Tanisha McKnight of counsel), Law Guardian for the child Vanessa B.

Mark Brandys, New York, N.Y., Law Guardian for the children Daron N. and Derrick N.

In three related child protective proceedings pursuant to Family Court Act article 10, the petitioner appeals from an order of the Family Court, Kings County (Feldman, J.), dated November 22, 2006, which, after a hearing pursuant to Family Court Act § 1027, inter alia, paroled the subject children Vanessa B., Daron N., and Derrick N. to the custody of the respondents under the petitioner's supervision. By decision and order on motion of this court dated November 29, 2006, enforcement of the order dated November 22, 2006, was stayed to the extent of remanding Daron N. and Derrick N. to the petitioner's custody pending hearing and determination of the appeal.

ORDERED that the order is affirmed, with costs, and the matter is remitted to the Family Court, Kings County, for further proceedings in connection with the underlying petitions, to be conducted as expeditiously as possible.

Under the particular facts of this case, the Family Court's determination should not be disturbed (*see* Family Ct Act § 1027; *Nicholson v Scopetta*, 3 NY3d 357; *Matter of David Edward D.*, 35 AD3d 856).

RIVERA, J.P., RITTER, GOLDSTEIN and ANGIOLILLO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court