

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

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_____AD3d_____

Submitted - March 27, 2007

WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
MARK C. DILLON
EDWARD D. CARNI, JJ.

2006-04743

DECISION & ORDER

In the Matter of Crystalyn P. (Anonymous).
Dutchess County Department of Social Services,
respondent; Barbara P. (Anonymous), appellant.

(Docket No. AS-5108-05)

Salvatore C. Adamo, New York, N.Y., for appellant.

Ronald L. Wozniak, County Attorney, Poughkeepsie, N.Y. (Richard A. Ott of counsel), for respondent.

Michael J. Tomkovitch, Hopewell Junction, N.Y., Law Guardian for the child.

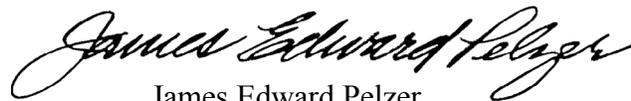
In a proceeding pursuant to Social Services Law § 383-c, the biological mother appeals from an order of the Family Court, Dutchess County (Forman, J.), dated March 29, 2006, which denied the petition and dismissed the proceeding.

ORDERED that the order is affirmed, without costs or disbursements.

Under the circumstances of this case, the Family Court properly denied the biological mother's petition, in effect, to revoke the judicial surrender of her child (*see* Social Services Law § 383-c; *Matter of Torres v Scopetta*, 2 AD3d 533).

MASTRO, J.P., RIVERA, DILLON and CARNI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 1, 2007

MATTER OF P. (ANONYMOUS), CRYSTALYN