

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

D15502
Y/cb

_____AD3d_____

Argued - April 13, 2007

WILLIAM F. MASTRO, J.P.
FRED T. SANTUCCI
PETER B. SKELOS
THOMAS A. DICKERSON, JJ.

2006-07511
2007-00078

DECISION & ORDER

In the Matter of Angelo O. (Anonymous).
Suffolk County Department of Social Services,
petitioner-respondent; Sherri M. (Anonymous),
appellant; et al., respondent.
(Proceeding No. 1)

In the Matter of Joshua O. (Anonymous).
Suffolk County Department of Social Services,
petitioner-respondent; Sherri M. (Anonymous),
appellant; et al., respondent.
(Proceeding No. 2)

(Docket Nos. N-10163/03, N-10164/03)

Thomas H. Sartain, Central Islip, N.Y., for appellant.

Christine Malafi, County Attorney, Central Islip, N.Y. (Brian B. Mulholland and
Gary Rosenthal of counsel), for respondent.

Marjorie E. Zuckerman, Bay Shore, N.Y., Law Guardian for the child.

In related neglect proceedings pursuant to Family Court Act article 10, the mother appeals (1), as limited by her brief, from so much of an order of the Family Court, Suffolk County (Freundlich, J.), entered June 28, 2006, as, after a permanency hearing, changed the permanency goal

June 12, 2007

Page 1.

MATTER OF O. (ANONYMOUS), ANGELO
MATTER OF O. (ANONYMOUS), JOSHUA

for the subject children from return to parent to free for adoption, and modified visitation with the subject children to only one hour per week, and (2) from an order of the same court dated December 5, 2006 which denied her recusal motion.

ORDERED that the appeal from the order entered June 28, 2006, is dismissed as academic, without costs or disbursements in light of two orders of the Family Court, Suffolk County, both dated February 15, 2007; and it is further,

ORDERED that the order dated December 5, 2006, is affirmed, without costs or disbursements.

Under the circumstances of this case, the recusal motion was properly denied.

MASTRO, J.P., SANTUCCI, SKELOS and DICKERSON, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court