

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

D16129  
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Submitted - June 21, 2007

STEPHEN G. CRANE, J.P.  
GLORIA GOLDSTEIN  
MARK C. DILLON  
EDWARD D. CARNI, JJ.

2006-07220

DECISION & ORDER

In the Matter of Zaim R. (Anonymous),  
appellant; County of Orange, respondent.

(Docket No. G-3779-05)

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Christo & Associates, P.C., New York, N.Y. (James D. Christo of counsel), for  
appellant.

Morningside Heights Legal Services, New York, N.Y. (Ragini Shah of counsel), for  
U.S. Committee for Refugees and Immigrants, Legal Aid Society of New York,  
Lawyers for Children, Door's Legal Services Center, Immigrant Children's Advocacy  
Project, and Child Advocacy Clinic of Columbia Law School, amici curiae.

In a guardianship proceeding for a minor pursuant to Family Court Act article 6, the  
minor appeals from an order of the Family Court, Orange County (Klein, J.), entered June 22, 2006,  
which denied his motion for the court to make specific findings that he was dependent on the Family  
Court and eligible for long-term foster care due to abuse, neglect, or abandonment, pursuant to 8  
USC § 101(a)(27)(J).

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

The authority of the Family Court to appoint a guardian extends only to the person  
or property of a "minor," which is defined as a person under the age of 18 (Family Ct Act §§ 119[c],  
661). Moreover, "[a]s a general rule, the appointment of a guardian for a minor expires when the  
subject child reaches the age of majority" (*Matter of Luis A.-S.*, 33 AD3d 793, 794; *see* SCPA  
1707[2]; Family Ct Act § 661; *Matter of Mede*, 177 Misc 2d 974, 979-980). Because the appellant

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has reached the age of 18, this appeal has been rendered academic and must be dismissed, since the appointment by the Family Court of a guardian for the appellant has expired, and there is no basis upon which the relief requested can be granted (*see Matter of Luis A.-S., supra* at 794).

CRANE, J.P., GOLDSTEIN, DILLON and CARNI, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court