

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

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_____AD3d_____

Submitted - October 31, 2008

ROBERT A. SPOLZINO, J.P.
DANIEL D. ANGIOLILLO
THOMAS A. DICKERSON
ARIEL E. BELEN, JJ.

2007-08611

DECISION & ORDER

In the Matter of Jashan Reeves, respondent, v
Luz Colon, appellant.

(Docket No. V-274-04)

Philip H. Schnabel, Chester, N.Y., for appellant.

Richard N. Lentino, Middletown, N.Y., attorney for the child.

In a child custody proceeding pursuant to Family Court Act article 6, the mother appeals, as limited by her brief, from so much of an order of the Family Court, Orange County (Bivona, J.), dated August 9, 2007, as, after a nonjury trial, awarded sole custody of the subject child to the father.

ORDERED that the order is affirmed insofar as appealed from, without costs or disbursements.

The Family Court did not err in awarding the father sole custody of the subject child. “The determination of the Family Court in a custody dispute is generally accorded great deference on appeal, and should not be disturbed unless it lacks a sound and substantial basis in the record, as it is based upon a firsthand assessment of the parties, their credibility, their character, and their temperament” (*Matter of Miller v Shaw*, 51 AD3d 927, 927, *lv denied* 11 NY3d 706). There is no basis here to disturb the Family Court’s determination.

SPOLZINO, J.P., ANGIOLILLO, DICKERSON and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 25, 2008

MATTER OF REEVES v COLON