

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

D21415  
O/kmg

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Submitted - November 7, 2008

ROBERT A. SPOLZINO, J.P.  
JOSEPH COVELLO  
DANIEL D. ANGIOLILLO  
CHERYL E. CHAMBERS, JJ.

2007-03941

DECISION & ORDER

In the Matter of Amir J.-L. (Anonymous).  
Administration for Children's Services,  
respondent; Phillip J.-L. (Anonymous),  
appellant.

(Docket No. N-16107-03)

Cheryl Charles Duval, Brooklyn, N.Y., for appellant.

Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Elizabeth S. Natrella  
and Suzanne K. Colt of counsel), for respondent.

Albino J. Testani, Jamaica, N.Y., attorney for the child.

In a child protective proceeding pursuant to Family Court Act article 10, the father appeals from an order of disposition of the Family Court, Queens County (Salinitro, J.), dated January 24, 2006, which, inter alia, upon a fact-finding order of the same court dated September 23, 2005, made without a hearing, finding that he neglected the subject child, denied his application for visitation.

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

The father argues that the Family Court erred in denying his application for visitation without holding a hearing. Contrary to the father's contentions, the Family Court was not required to hold a full evidentiary hearing where the court possessed "sufficient information to render an informed determination that [is] consistent with the child's best interests" (*Matter of Davis v Davis*, 265 AD2d 552, 553; see *Matter of Hom v Zullo*, 6 AD3d 536; *Matter of Vangas v Ladas*, 259 AD2d

December 9, 2008

Page 1.

MATTER OF J.-L. (ANONYMOUS), AMIR

755). The court made its determination after having considered an order of protection which prohibited contact with the subject child as part of the father's criminal sentence and the father's mental health evaluation, which was admitted in evidence, and supported the court's conclusion that visitation would not be in the child's best interest (*see Matter of Curtis N.*, 288 AD2d 774; *Matter of Davis v Davis*, 265 AD2d at 553).

The father's remaining contentions are without merit.

SPOLZINO, J.P., COVELLO, ANGIOLILLO and CHAMBERS, 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