

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

D23627  
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Submitted - May 11, 2009

PETER B. SKELOS, J.P.  
FRED T. SANTUCCI  
ARIEL E. BELEN  
CHERYL E. CHAMBERS, JJ.

2008-05098  
2008-05100

DECISION & ORDER

In the Matter of Eddie Michael L. (Anonymous).  
Suffolk County Department of Social Services,  
respondent; Edgar Q. (Anonymous), appellant.

(Docket No. N-14561-06)

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Joseph R. Faraguna, Sag Harbor, N.Y., for appellant.

Robert C. Mitchell, Central Islip, N.Y. (Diane B. Groom of counsel), attorney for the  
child (no brief filed).

In a proceeding pursuant to Family Court Act article 10, the father appeals from (1) an order of the Family Court, Suffolk County (McElligott, J.H.O.), dated April 14, 2008, which, after a permanency hearing, approved the petitioner's permanency goal of reuniting the subject child with him, and (2) an order of protection of the same court, also dated April 14, 2008, which directed him to stay away from the subject child for a period of one year. Assigned counsel has submitted a brief in accordance with *Anders v California* (386 US 738), in which he moves to be relieved of the assignment to prosecute this appeal.

ORDERED that the appeal from the order of protection is dismissed as academic, without costs or disbursements; and it is further,

ORDERED that the order approving the petitioner's permanency goal is affirmed, without costs or disbursements.

June 23, 2009

MATTER OF L. (ANONYMOUS), EDDIE MICHAEL

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The order of protection appealed from expired by its own terms on April 14, 2009. Under the facts of this case, the issuance of the order of protection did not constitute a permanent and significant stigma which might indirectly affect the father's status in potential future proceedings (*see Matter of Draven B.*, 52 AD3d 704).

We have reviewed the record and agree with the father's assigned counsel that there are no nonfrivolous issues which could be raised on appeal. Counsel's application for leave to withdraw as counsel is granted (*see Anders v California*, 386 US 738; *People v Paige*, 54 AD2d 631; *cf. People v Gonzalez*, 47 NY2d 606).

SKELOS, J.P., SANTUCCI, BELEN and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court