

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

D23681
T/kmg

_____AD3d_____

Submitted - May 1, 2009

REINALDO E. RIVERA, J.P.
RANDALL T. ENG
CHERYL E. CHAMBERS
L. PRISCILLA HALL, JJ.

2008-03052

DECISION & ORDER

In the Matter of Crystal B. (Anonymous), appellant.

(Docket No. D-208-08)

Leighton M. Jackson, New York, N.Y., for appellant.

Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Kristin M. Helmers,
Lisa Donovan, and Janet L. Zaleon of counsel), for respondent.

In a juvenile delinquency proceeding pursuant to Family Court Act article 3, the appeal is from so much of an order of disposition of the Family Court, Richmond County (McElrath, J.), dated March 3, 2008, as, after a hearing, and upon a fact-finding order of the same court dated January 18, 2008, which, upon the appellant's admission, found that the appellant had committed an act which, if committed by an adult, would have constituted the crime of attempted assault in the third degree, placed her with the New York State Office of Children and Family Services for a period of 12 months.

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

On appeal, the appellant's sole challenge is to the disposition placing her in a nonsecure facility for a period of 12 months, which she contends was not the least restrictive available alternative disposition (*see* Family Ct Act § 352.2[2][a]). Since the period of placement has expired, the appeal is academic (*see Matter of Isaiah P.*, 45 AD3d 772; *Matter of Jeffrey D.*, 41 AD3d 845).

RIVERA, J.P., ENG, CHAMBERS and HALL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 23, 2009

MATTER OF B. (ANONYMOUS), CRYSTAL