

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

D29621
H/prt

_____AD3d_____

Argued - November 29, 2010

WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
SHERI S. ROMAN
SANDRA L. SGROI, JJ.

2010-02807

DECISION & ORDER

In the Matter of Daniel T.-H. (Anonymous).
Alison Kamhi, petitioner-respondent; Mario T.-G.
(Anonymous), et al., respondents, Westchester County
Commissioner of Social Services, nonparty-appellant.

(Docket No. N-2934-10)

Robert F. Meehan, County Attorney, White Plains, N.Y. (Justin R. Adin of counsel),
for nonparty-appellant.

Jennifer Baum, Jamaica, N.Y. (Jillian de Chavez, Ari Lessa, and Mary Grace Vitale,
on the brief), for petitioner-respondent.

George E. Reed, Jr., White Plains, N.Y., attorney for the child.

In a child neglect proceeding pursuant to Family Court Act article 10, the Westchester County Commissioner of Social Services appeals from an order of the Family Court, Westchester County (Davidson, J.), dated February 25, 2010, which, after a hearing, inter alia, granted the petitioner's motion, in effect, to direct the Westchester County Department of Social Services to take temporary custody of the subject child pending the outcome of the proceeding. Justice Rivera has been substituted for the late Justice Fisher (*see* 22 NYCRR 670.1[c]).

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

Contrary to the contention of the Westchester County Commissioner of Social Services (hereinafter the appellant), the Family Court properly determined, after a hearing on

February 25, 2010, that the subject child was at imminent risk of harm, and placed him in the temporary care and custody of the Westchester County Department of Social Services (*see* Family Ct Act §§ 1027[a], [b]).

The appellant's remaining contentions are without merit.

MASTRO, J.P., RIVERA, ROMAN and SGROI, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court