

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

D31141
H/ct

_____AD3d_____

Submitted - April 12, 2011

DANIEL D. ANGIOLILLO, J.P.
ANITA R. FLORIO
PLUMMER E. LOTT
LEONARD B. AUSTIN, JJ.

2010-08281

DECISION & ORDER

In the Matter of Hannah A. (Anonymous).
Suffolk County Child Protective Services,
respondent; Jibrine A. (Anonymous), appellant.
(Proceeding No. 1)

In the Matter of Marian A. (Anonymous).
Suffolk County Child Protective Services,
respondent; Jibrine A. (Anonymous), appellant.
(Proceeding No. 2)

(Docket Nos. NN-10804-09, NN-10805-09)

Lawrence N. Etah, Hempstead, N.Y., for appellant.

Christine Malafi, County Attorney, Central Islip, N.Y. (Jeffrey P. Tavel of counsel),
for respondent.

Arshia Bassar, Central Islip, N.Y. attorney for the child.

In a child neglect proceeding pursuant to Family Court Act article 10, the father
appeals from an order of the Family Court, Suffolk County (Hoffmann, J.), dated August 12, 2010,
which, upon a fact-finding hearing, determined that he neglected the subject children.

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

May 10, 2011

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MATTER OF A. (ANONYMOUS), HANNAH
MATTER OF A. (ANONYMOUS), MARIAN

The evidence supports the Family Court's determination that the father neglected the subject children by engaging in certain acts of domestic violence against the mother in their presence that impaired, or created an imminent danger of impairing, their physical, emotional, or mental conditions (*see* Family Ct Act § 1012[f][i][B]; *Matter of Jordan E.*, 57 AD3d 539, 540; *Matter of Andrew Y.*, 44 AD3d 1063, 1064; *Matter of Zachery M.*, 306 AD2d 348, 349; *cf. Nicholson v Scoppetta*, 3 NY3d 357, 367-372).

ANGIOLILLO, J.P., FLORIO, LOTT and AUSTIN, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court