

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

D32345
H/ct

_____AD3d_____

Argued - September 9, 2011

WILLIAM F. MASTRO, J.P.
RUTH C. BALKIN
CHERYL E. CHAMBERS
PLUMMER E. LOTT, JJ.

2010-09667

DECISION & ORDER

In the Matter of Reece R. (Anonymous).
Desiree A. M. (Anonymous), et al., petitioners-
respondents, Jeanette W. (Anonymous), appellant;
Orange County Department of Social Services,
nonparty-respondent.

(Docket No. G-02418-10)

Meth Law Offices, P.C., Chester, N.Y. (Michael D. Meth of counsel), for appellant.

Jonathan R. Sennett, P.C., Kingston, N.Y., for petitioners-respondents.

David L. Darwin, County Attorney, Goshen, N.Y. (Christine Foy-Stage of counsel),
for nonparty-respondent.

Gary E. Eisenberg, New City, N.Y., attorney for the child.

In a guardianship proceeding pursuant to Family Court Act article 6, the mother appeals from an order of the Family Court, Orange County (Bivona, J.), dated August 27, 2010, which granted the petition, awarded guardianship of the subject child to the petitioners, Desiree A. M. and Charles M., the child's maternal aunt and uncle, respectively, and directed that her visitation with the subject child be supervised by the petitioners.

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

In light of the respective positions of the parties in the guardianship proceeding and the evidence presented at the hearing, the Family Court properly granted the petition for guardianship (*cf.* Family Ct Act §§ 661, 1089-a).

November 9, 2011

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MATTER OF R. (ANONYMOUS), REECE

The Family Court providently exercised its discretion in determining that, initially, the mother's visitation with the subject child should be supervised (*see Matter of Pope v Pope*, 12 AD3d 516; *Matter of Kachelhofer v Wasiak*, 10 AD3d 366; *Matter of Amanda H. v Paul Robert W.*, 251 AD2d 578).

The mother's remaining contentions are without merit.

MASTRO, J.P., BALKIN, CHAMBERS and LOTT, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court