

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

D32516
C/prt

_____AD3d_____

Submitted - September 23, 2011

MARK C. DILLON, J.P.
ARIEL E. BELEN
SHERI S. ROMAN
ROBERT J. MILLER, JJ.

2010-08465
2010-08470
2010-08473

DECISION & ORDER

In the Matter of Darnell G. (Anonymous),
also known as Darnell G. (Anonymous),
also known as Darnell H. (Anonymous),
also known as Darnell H. (Anonymous).
SCO Family of Services, respondent;
Robin Denise H. (Anonymous), also known
as Robin H. (Anonymous), appellant.
(Proceeding No. 1)

In the Matter of Davin G. (Anonymous),
also known as Darnell H. (Anonymous).
SCO Family of Services, respondent;
Robin Denise H. (Anonymous), also known
as Robin H. (Anonymous), appellant.
(Proceeding No. 2)

In the Matter of Anthony Dontyrell G.
(Anonymous), also known as Anthony G.
(Anonymous), also known as Anthony H.
(Anonymous).
SCO Family of Services, respondent;

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MATTER OF G. (ANONYMOUS), DARNELL, also known as G. (ANONYMOUS),
DARNELL, also known as H. (ANONYMOUS), DARNELL, also known as
H. (ANONYMOUS), DARNELL

MATTER OF G. (ANONYMOUS), DAVIN, also known as H. (ANONYMOUS), DARNELL
MATTER OF G. (ANONYMOUS), ANTHONY DONTYRELL, also known as
G. (ANONYMOUS), ANTHONY, also known as H. (ANONYMOUS), ANTHONY

Robin Denise H. (Anonymous), also known
as Robin H. (Anonymous), appellant.
(Proceeding No. 3)

(Docket Nos. B-24640-08, B-24641-08, B-24642-08)

Jeffrey C. Bluth, Brooklyn, N.Y., for appellant.

Carrieri & Carrieri, P.C., Mineola, N.Y. (Ralph R. Carrieri of counsel), for
respondent.

Steven Banks, New York, N.Y. (Tamara A. Steckler and Judith Waksberg of
counsel; Laura Dillon on the brief), attorney for the children.

In three related proceedings to terminate parental rights pursuant to Social Services Law § 384-b on the ground of permanent neglect, the mother appeals from three orders of fact-finding and disposition (one for each child) of the Family Court, Kings County (Grosvenor, J.), all dated June 30, 2010, which, after fact-finding and dispositional hearings, found that she had permanently neglected the children, terminated her parental rights, and transferred custody and guardianship of the children to the Commissioner of Social Services of the City of New York and the petitioner, SCO Family of Services, for the purpose of adoption.

ORDERED that the orders of fact-finding and disposition are affirmed, without costs or disbursements.

Contrary to the mother's contention, the Family Court properly determined that the petitioner established, by clear and convincing evidence, that it exercised diligent efforts to encourage and strengthen the parental relationship by, among other things, facilitating regular visitation with the children and repeatedly referring the mother to drug treatment programs (*see* Social Services Law § 384-b[7][a], [f]; *Matter of Star Leslie W.*, 63 NY2d 136, 142; *Matter of Zechariah J. [Valrick J.]*, 84 AD3d 1087; *Matter of John M. [Raymond K.]*, 82 AD3d 1100; *Matter of Elijah P. [C.I.P.]*, 76 AD3d 631, 632). Despite those efforts, the mother failed to plan for the future of the children by failing to complete a drug treatment program (*see* Social Services Law § 384-b[7][a], [c]; *Matter of John M. [Raymond K.]*, 82 AD3d at 1100-1101; *Matter of Malen Sansa V. [Nancy J.]*, 70 AD3d 707, 708; *Matter of Jada Ta-Toneyia L.*, 66 AD3d 901, 902; *Matter of Noelia T.*, 61 AD3d 983, 984). Accordingly, the Family Court properly found that the mother permanently neglected the children.

Furthermore, the Family Court properly determined that it was in the best interests

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of the children to terminate the mother's parental rights, thus freeing the children for adoption by their foster parents (*see Matter of Star Leslie W.*, 63 NY2d at 147-148; *Matter of Zechariah J. [Valrick J.]*, 84 AD3d at 1088-1089; *Matter of Amber D.C. [Angelica C.]*, 79 AD3d 865, 866; *Matter of Jada Ta-Toneyia L.*, 66 AD3d at 902).

DILLON, J.P., BELEN, ROMAN and MILLER, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Matthew G. Kiernan". The signature is written in a cursive, slightly slanted style.

Matthew G. Kiernan
Clerk of the Court

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