

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

D32838
H/kmb

_____AD3d_____

Submitted - October 21, 2011

WILLIAM F. MASTRO, J.P.
MARK C. DILLON
SANDRA L. SGROI
ROBERT J. MILLER, JJ.

2011-00117

DECISION & ORDER

In the Matter of Marie L. Polche, respondent,
v Joseph Guillaume Polche, appellant.
(Proceeding No. 1)

In the Matter of Joseph Guillaume Polche, respondent,
v Marie L. Polche, appellant.
(Proceeding No. 2)

(Docket Nos. V-21429/10, V-21528/10)

Lisa Lewis, Brooklyn, N.Y., for appellant.

Patrick R. Garcia, Brooklyn, N.Y., for respondent.

In related child custody proceedings pursuant to Family Court Act article 6, the father appeals from an order of the Family Court, Kings County (Valme-Lundy, R.), dated November 24, 2010, which, upon the consent of the parties, inter alia, granted the mother's petition for sole custody of the parties' child.

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

The appeal must be dismissed, as no appeal lies from an order entered upon the consent of the appealing party (*see* CPLR 5511; *Matter of Walsh v Walsh*, 56 AD3d 568, 568-569).

MASTRO, J.P., DILLON, SGROI and MILLER, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

November 9, 2011

MATTER OF POLCHE v POLCHE