

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

D33462  
W/mv

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - December 8, 2011

MARK C. DILLON, J.P.  
RUTH C. BALKIN  
JOHN M. LEVENTHAL  
CHERYL E. CHAMBERS, JJ.

2010-06271

DECISION & ORDER

In the Matter of Shaliyah P. (Anonymous),  
Westchester County Department of Social Services,  
petitioner-respondent; Eddie P. (Anonymous),  
appellant, et al., respondent.

(Docket Nos. NN-11723-09, NN-11725-09)

Helen Migdon Greenberg, Elmsford, N.Y., for appellant.

Robert F. Meehan, County Attorney, White Plains, N.Y. (Adam Rodriguez of  
counsel), for petitioner-respondent.

Roberta Michael, Elmsford, N.Y., attorney for the child.

In a child protective proceeding pursuant to Family Court Act article 10, the father appeals, as limited by his brief, from stated portions of an order of fact-finding and disposition of the Family Court, Westchester County (Scattaretico-Naber, J.), entered May 5, 2010, which, upon his consent, inter alia, found that he had neglected the subject child and placed the child in the custody of the Westchester County Department of Social Services.

ORDERED that the appeal from the order of fact-finding and disposition is dismissed, without costs or disbursements.

The appeal from the order of fact-finding and disposition, which found that the father neglected the subject child and, inter alia, placed the child in the custody of the Westchester County Department of Social Services, must be dismissed, as the order was entered on the consent of the

December 27, 2011

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appealing party. No appeal lies from an order entered upon the consent of the appealing party (*see Matter of Lemar H.*, 52 AD3d 602, 603; *Matter of Baby Girl M.*, 48 AD3d 569, 569; *Matter of Brian R.*, 48 AD3d 576, 577; *Matter of Angelique L.*, 42 AD3d 569, 571; *Matter of Jerome Marcel T.*, 28 AD3d 780, 780).

DILLON, J.P., BALKIN, LEVENTHAL and CHAMBERS, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino  
Clerk of the Court