

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

D33892
W/nl

_____AD3d_____

Argued - January 12, 2012

ANITA R. FLORIO, J.P.
CHERYL E. CHAMBERS
L. PRISCILLA HALL
ROBERT J. MILLER, JJ.

2010-11580

DECISION & ORDER

In the Matter of Thab D. Patterson, appellant, v Stacy
Patterson, respondent.

(Docket No. V-04591/09)

Catherine S. Bridge, Staten Island, N.Y., for appellant.

Karen P. Simmons, Brooklyn, N.Y (Sena Kim-Reuter and Janet Neustaetter of
counsel), attorney for the child.

In a child custody proceeding pursuant to Family Court Act article 6, the father
appeals from an order of the Family Court, Kings County (Graham, J.), dated November 29, 2010,
which, in effect, denied his motion for an evidentiary hearing on the issue of visitation and directed
only limited visitation between the parties' minor child and him.

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

Contrary to the father's contention, a hearing is not necessary where, as here, the
Family Court possesses adequate relevant information to enable it to make an informed and
provident determination as to the subject child's best interests (*see Rosenberg v Rosenberg*, 60 AD3d
658; *Matter of Vanjak v Pesa*, 26 AD3d 512; *Assini v Assini*, 11 AD3d 417, 418; *Matter of Smith
v Molody-Smith*, 307 AD2d 364; *Matter of Vangas v Ladas*, 259 AD2d 755; *Webster v Webster*, 163
AD2d 178). The Family Court examined the parents over several court appearances, and conducted
an in camera interview of the child to ascertain his wishes. These proceedings were sufficient to
enable the Family Court to make an informed and provident determination on the issue of visitation
(*see Rosenberg v Rosenberg*, 60 AD3d 658; *Matter of Vangas v Ladas*, 259 AD2d 755), and there

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is no basis to overturn the Family Court's determination.

FLORIO, J.P., CHAMBERS, HALL and MILLER, 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