

**SUPREME COURT OF THE STATE OF NEW YORK**  
***Appellate Division, Fourth Judicial Department***

1148

CAF 08-02165

PRESENT: SCUDDER, P.J., SMITH, CARNI, PINE, AND GORSKI, JJ.

---

IN THE MATTER OF TIFFANEY E. DAVIS,  
PETITIONER-APPELLANT,

V

ORDER

NATHANIEL DAVIS, SR., RESPONDENT-RESPONDENT.

---

FRANK H. HISCOCK LEGAL AID SOCIETY, SYRACUSE (ROBERT P. RICKERT OF  
COUNSEL), FOR PETITIONER-APPELLANT.

CHARLES E. LUPIA, LAW GUARDIAN, SYRACUSE, FOR NATHANIEL D., JR.

---

Appeal from an order of the Family Court, Onondaga County  
(Charles J. Major, J.H.O.), entered October 3, 2008 in a proceeding  
pursuant to Family Court Act article 6. The order denied the petition  
seeking permission for the parties' child to relocate with petitioner  
to Virginia.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs (*see Matter of Dukes v McPherson*,  
50 AD3d 1529).

Entered: October 2, 2009

Patricia L. Morgan  
Clerk of the Court