

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

1149

CAF 08-01477

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

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IN THE MATTER OF THE ADOPTION OF DEJA J.  
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CONSTANCE G. AND DONELL G., SR.,  
PETITIONERS-RESPONDENTS;

ORDER

RYAN W.J., RESPONDENT-APPELLANT.

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KATHLEEN P. REARDON, ROCHESTER, FOR RESPONDENT-APPELLANT.

CONSTANCE G. AND DONELL G., SR., PETITIONERS-RESPONDENTS PRO SE.

MARYBETH D. BARNET, LAW GUARDIAN, CANANDAIGUA, FOR DEJA J.

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Appeal from an order of the Family Court, Yates County (W. Patrick Falvey, J.), entered February 1, 2008 in an adoption proceeding. The order determined that the consent of respondent to the adoption of his child is not required.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated at Family Court.

Entered: October 2, 2009

Patricia L. Morgan  
Clerk of the Court