

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

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CAF 09-01167

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, SCONIERS, AND GORSKI, JJ.

IN THE MATTER OF SUSAN T.,
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

BETH M., RESPONDENT-RESPONDENT.
(APPEAL NO. 2.)

VICTORIA L. KING, CANANDAIGUA, FOR PETITIONER-APPELLANT.

ROBERT L. GOSPER, ATTORNEY FOR THE CHILD, CANANDAIGUA, FOR BRIANNA T.

Appeal from an order of the Family Court, Ontario County (Craig J. Doran, J.), entered May 5, 2009 in a proceeding pursuant to Family Court Act article 6. The order denied the petition seeking custody of the subject child.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Same Memorandum as in *Matter of Beth M. v Susan T.* (___ AD3d ___ [Feb. 18, 2011]).

Entered: February 18, 2011

Patricia L. Morgan
Clerk of the Court