



[iii]; see *Matter of Alfonzo H. [Cassie L.]*, 77 AD3d 1410, 1411). We thus conclude that the court erred in granting the motion to dismiss with respect to the mother.

We reject petitioner's contention that the court abused its discretion in precluding the testimony of a witness that petitioner failed to identify in response to respondents' demand for a list of petitioner's witnesses (see generally *McCarter v Woods*, 106 AD3d 1540, 1541).

We therefore modify the order accordingly, and we remit the matter to Family Court for further proceedings on the petition with respect to the mother.