

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

905

CAF 14-01147

PRESENT: SCUDDER, P.J., SMITH, CENTRA, PERADOTTO, AND CARNI, JJ.

IN THE MATTER OF GRETCHEN R. BURNS,
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

ROBERT J. HERROD, RESPONDENT-RESPONDENT.
(APPEAL NO. 2.)

SUSAN JAMES, WATERLOO, FOR PETITIONER-APPELLANT.

TERRENCE J. BAXTER, CORNING, FOR RESPONDENT-RESPONDENT.

WENDY S. SISSON, ATTORNEY FOR THE CHILDREN, GENESEO.

Appeal from an order of the Family Court, Allegany County (Thomas P. Brown, J.), entered May 15, 2014 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for a modification of custody and visitation.

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

Same memorandum as in *Matter of Burns v Herrod* ([appeal No. 1] ___ AD3d ___ [Oct. 9, 2015]).

Entered: October 9, 2015

Frances E. Cafarell
Clerk of the Court