

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

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CAF 12-00788

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, AND VALENTINO, JJ.

IN THE MATTER OF MARCIA SCHAEFER AND GEORGE
SCHAEFER, PETITIONERS-RESPONDENTS,

V

MEMORANDUM AND ORDER

STACY L. SCHAEFER, RESPONDENT-APPELLANT,
AND TIMOTHY JOHN DUBIEL, RESPONDENT.
(APPEAL NO. 2.)

MICHAEL J. PULVER, NORTH SYRACUSE, FOR RESPONDENT-APPELLANT.

LISA M. FAHEY, EAST SYRACUSE, FOR PETITIONERS-RESPONDENTS.

Appeal from an order of the Family Court, Onondaga County (Gina M. Glover, R.), entered July 14, 2011 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted visitation to petitioners.

It is hereby ORDERED that the order so appealed from is unanimously modified on the law by vacating that part of the first ordering paragraph directing that petitioners' monthly Sunday visitation take place during the parenting time of respondent Stacy L. Schaefer and inserting in place thereof a direction that petitioners' monthly visitation take place during the parenting time of respondent Timothy John Dubiel in odd-numbered months and during the parenting time of respondent Stacy L. Schaefer in even-numbered months, and by vacating that part of the first ordering paragraph directing that petitioners have one summer weekend of visitation during the parenting time of respondent Stacy L. Schaefer, and as modified the order is affirmed without costs.

Same Memorandum as in *Matter of Dubiel v Schaefer* (___ AD3d ___ [July 5, 2013]).

Entered: July 5, 2013

Frances E. Cafarell
Clerk of the Court