

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

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**CAF 14-02197**

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, DEJOSEPH, AND SCUDDER, JJ.

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IN THE MATTER OF ROSE M. GIBSON,  
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

THOMAS W. MURTAUGH, JR.,  
RESPONDENT-RESPONDENT.  
(APPEAL NO. 2.)

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TRACY L. PUGLIESE, CLINTON, FOR PETITIONER-APPELLANT.

JOHN J. RASPANTE, UTICA, FOR RESPONDENT-RESPONDENT.

PETER J. DIGIORGIO, JR., ATTORNEY FOR THE CHILDREN, UTICA.

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Appeal from an order of the Family Court, Herkimer County (Anthony J. Garramone, J.H.O.), entered November 19, 2014 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition alleging a violation of an order of visitation.

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

Same memorandum as in *Matter of Gibson v Murtaugh* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [Mar. 18, 2016]).

Entered: March 18, 2016

Frances E. Cafarell  
Clerk of the Court