

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

988

CAF 18-01013

PRESENT: WHALEN, P.J., LINDLEY, DEJOSEPH, NEMOYER, AND TROUTMAN, JJ.

IN THE MATTER OF DESIRAE C. HEINSLER,
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

ROSEMARIE SERO, RESPONDENT-RESPONDENT.
(APPEAL NO. 2.)

DAVID J. PAJAK, ALDEN, FOR PETITIONER-APPELLANT.

JACQUELINE M. GRASSO, BATAVIA, ATTORNEY FOR THE CHILDREN.

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered May 24, 2018 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition.

It is hereby ORDERED that the order so appealed from is unanimously reversed on the law without costs, the petition is reinstated, and the matter is remitted to Family Court, Genesee County, for further proceedings in accordance with the same memorandum as in *Matter of Heinsler v Sero* ([appeal No. 1] – AD3d – [Nov. 8, 2019] [4th Dept 2019]).

Entered: November 8, 2019

Mark W. Bennett
Clerk of the Court