

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

1575

CAF 09-01358

PRESENT: MARTOCHE, J.P., CENTRA, FAHEY, LINDLEY, AND SCONIERS, JJ.

IN THE MATTER OF NICHOLAS W. ROGERS,
PETITIONER-APPELLANT,

V

ORDER

KRISTI L. ANDERSON, RESPONDENT-RESPONDENT.

EVELYNE A. O'SULLIVAN, EAST AMHERST, FOR PETITIONER-APPELLANT.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered April 30, 2009 in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied the visitation sought by petitioner.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (*see Matter of Demetrius B.*, 28 AD3d 1249, 1250, *lv denied* 7 NY3d 707).

Entered: December 30, 2010

Patricia L. Morgan
Clerk of the Court