

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

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CAF 08-00280

PRESENT: HURLBUTT, J.P., SMITH, FAHEY, GREEN, AND PINE, JJ.

IN THE MATTER OF TERESA A. GIARDINA,
PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

TERRY L. CAMPBELL, SR., RESPONDENT-APPELLANT.

TULLY RINCKEY PLLC, ALBANY (GREG T. RINCKEY OF COUNSEL), FOR
RESPONDENT-APPELLANT.

LEGAL ASSISTANCE OF WESTERN NEW YORK, INC./SOUTHERN TIER LEGAL
SERVICES, BATH (DAVID B. PELS OF COUNSEL), FOR PETITIONER-RESPONDENT.

Appeal from an order of the Family Court, Steuben County (Joseph W. Latham, J.), entered January 3, 2008 in a proceeding pursuant to Family Court Act article 8. The order granted petitioner an order of protection, effective through January 3, 2010.

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

Memorandum: Respondent appeals from an order that granted petitioner an order of protection against him, effective for two years. Contrary to respondent's contention, Family Court Act § 842, as amended in 2003, allows an order of protection to be effective for up to two years without a finding of aggravating circumstances (see L 2003, ch 579, § 1).

Entered: March 20, 2009

JoAnn M. Wahl
Clerk of the Court