

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

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CAF 08-00974

PRESENT: SMITH, J.P., FAHEY, PERADOTTO, CARNI, AND GORSKI, JJ.

IN THE MATTER OF JOSHUA M.,
RESPONDENT-RESPONDENT.

ERIE COUNTY ATTORNEY, PETITIONER-APPELLANT.
(APPEAL NO. 2.)

MEMORANDUM AND ORDER

CHERYL A. GREEN, COUNTY ATTORNEY, BUFFALO (MICHAEL J. LISZEWSKI OF
COUNSEL), FOR PETITIONER-APPELLANT.

MARY ANNE CONNELL, LAW GUARDIAN, BUFFALO, FOR RESPONDENT-RESPONDENT.

Appeal from an order of the Family Court, Erie County (Paul G.
Buchanan, J.), entered January 9, 2008 in a proceeding pursuant to
Family Court Act article 3. The order dismissed the petition.

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

Same Memorandum as in *Matter of Jonathan M.* (___ AD3d ___ [Apr.
24, 2009]).

Entered: April 24, 2009

Patricia L. Morgan
Deputy Clerk of the Court