

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

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**CAF 07-01248**

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

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IN THE MATTER OF GIOVANNI K.

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ONEIDA COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

DAWN K., RESPONDENT-APPELLANT.  
(APPEAL NO. 2.)

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ABBIE GOLDBAS, UTICA, FOR RESPONDENT-APPELLANT.

JOHN A. HERBOWY, UTICA, FOR PETITIONER-RESPONDENT.

WILLIAM L. KOSLOSKY, LAW GUARDIAN, UTICA, FOR GIOVANNI K.

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Appeal from an order of the Family Court, Oneida County (Randal B. Caldwell, J.), entered May 23, 2007 in a proceeding pursuant to Social Services Law § 384-b. The order, insofar as appealed from, denied respondent's motion seeking to transfer supervision of the case to another county.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same Memorandum as in *Matter of Giovanni K.* ([appeal No. 1] \_\_\_\_ AD3d \_\_\_\_ [May 1, 2009]).

Entered: May 1, 2009

Patricia L. Morgan  
Clerk of the Court