

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

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CAF 08-00551

PRESENT: SCUDDER, P.J., HURLBUTT, PERADOTTO, GREEN, AND GORSKI, JJ.

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IN THE MATTER OF ANTHONY E. AND TAMMY E.

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HERKIMER COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

ORDER

SHARON E., RESPONDENT,  
AND THOMAS E., SR., RESPONDENT-APPELLANT.

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PETER J. DIGIORGIO, JR., UTICA, FOR RESPONDENT-APPELLANT.

JACQUELYN M. ASNOE, HERKIMER, FOR PETITIONER-RESPONDENT.

JOHN G. KOSLOSKY, LAW GUARDIAN, UTICA, FOR ANTHONY E. AND TAMMY E.

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Appeal from an order of the Family Court, Herkimer County (Henry A. LaRaia, J.), entered February 29, 2008 in a proceeding pursuant to Social Services Law § 384-b. The order, insofar as appealed from, terminated the parental rights of respondent Thomas E., Sr. with respect to Anthony E. and Tammy E. upon a finding that he permanently neglected them.

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

Entered: June 5, 2009

Patricia L. Morgan  
Clerk of the Court