

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

795

CAF 08-01400

PRESENT: HURLBUTT, J.P., SMITH, CENTRA, PINE, AND GORSKI, JJ.

IN THE MATTER OF BRENDA R., PETITIONER-RESPONDENT,

V

ORDER

RONALD D., RESPONDENT-APPELLANT.

ALEXANDRA C. SISKOPOULOS, BROOKLYN (JOHN V. SISKOPOULOS, OF THE MASSACHUSETTS BAR, ADMITTED PRO HAC VICE, OF COUNSEL), FOR RESPONDENT-APPELLANT.

DANIEL M. DELAUS, JR., COUNTY ATTORNEY, ROCHESTER (KIM KOSKI TAYLOR OF COUNSEL), FOR PETITIONER-RESPONDENT.

Appeal from an order of the Family Court, Monroe County (Patricia E. Gallaher, J.), entered March 25, 2008 in a proceeding pursuant to Family Court Act article 5. The order denied the motion of respondent to vacate an order dated September 24, 2001.

It is hereby ORDERED that the order so appealed from is unanimously affirmed with costs (see *Empire Ins. Co. v Food City*, 167 AD2d 983, 984; see generally *City of Albany Indus. Dev. Agency v Garg*, 250 AD2d 991, 993).

Entered: June 5, 2009

Patricia L. Morgan
Clerk of the Court