

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

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CAF 08-01412

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, GREEN, AND GORSKI, JJ.

IN THE MATTER OF DANIEL S. BLIXT,
PETITIONER-RESPONDENT,

V

ORDER

HILARY J. BLIXT, RESPONDENT-APPELLANT.

JOHN A. HERBOWY, ROME, FOR RESPONDENT-APPELLANT.

FESSENDEN, LAUMER & DEANGELO, JAMESTOWN (PETER R. JOHNSON OF COUNSEL),
FOR PETITIONER-RESPONDENT.

SANDRA FISHER SWANSON, LAW GUARDIAN, JAMESTOWN, FOR ABIGAIL J.B. AND
ELLIE S.B.

Appeal from an order of the Family Court, Chautauqua County
(Michael F. Griffith, J.), entered June 5, 2008 in a proceeding
pursuant to Family Court Act article 6. The order, among other
things, awarded sole custody of the parties' children to petitioner.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs for reasons stated in the report of
the Referee at Family Court.

Entered: March 19, 2010

Patricia L. Morgan
Clerk of the Court