

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

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CAF 10-02368

PRESENT: SMITH, J.P., FAHEY, PERADOTTO, LINDLEY, AND SCONIERS, JJ.

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IN THE MATTER OF PAUL S. AND ROBIN S., AS  
PERSONS HAVING PLACEMENT OF COLLEEN Y.,  
KELLY Y., MICHAELA Y., AND BRIDGET Y.,  
PETITIONERS-RESPONDENTS,

V

OPINION AND ORDER

RITA S. AND KEN Y., RESPONDENTS-APPELLANTS.

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IN THE MATTER OF KATHERINE E.Y.,  
PETITIONER-RESPONDENT,

V

ROBIN S., RESPONDENT,  
RITA S., KEN Y., RESPONDENTS-APPELLANTS,  
AND PAUL S., RESPONDENT.

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IN THE MATTER OF COLLEEN Y., KELLY Y.,  
MICHAELA Y., AND BRIDGET Y.

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CHAUTAUQUA COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

KENNETH Y. AND RITA S., RESPONDENTS-APPELLANTS.

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IN THE MATTER OF BRIDGET K.Y., COLLEEN A.Y.,  
KELLY T.Y., AND MICHAELA M.Y.

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CHAUTAUQUA COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

KENNETH Y. AND RITA S., RESPONDENTS-APPELLANTS.  
(APPEAL NO. 2.)

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LAW OFFICE OF ROBERT D. ARENSTEIN, NEW YORK CITY (RICHARD T. SULLIVAN  
OF COUNSEL), FOR RESPONDENTS-APPELLANTS.

JANE E. LOVE, MAYVILLE, FOR PETITIONER-RESPONDENT CHAUTAUQUA COUNTY  
DEPARTMENT OF SOCIAL SERVICES.

ANDREW T. RADACK, ATTORNEY FOR THE CHILDREN, SILVER CREEK, FOR KELLY  
Y. AND COLLEEN Y.

MICHAEL J. SULLIVAN, ATTORNEY FOR THE CHILDREN, FREDONIA, FOR BRIDGET Y. AND MICHAELA Y.

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Appeal from a corrected order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered August 12, 2010 in a proceeding pursuant to Family Court Act article 10. The corrected order, inter alia, denied the motion of Rita S. and Kenneth Y. to vacate the order of fact-finding and disposition entered March 5, 2010.

It is hereby ORDERED that said appeal insofar as it concerns Colleen Y. and Kelly Y. is dismissed and the corrected order is affirmed without costs.

Same Opinion by PERADOTTO, J., as in *Matter of Bridget Y.* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [Dec. 30, 2011]).

FAHEY and SCONIERS, JJ., concur with PERADOTTO, J.; SMITH, J.P., dissents in part and votes to reverse in accordance with the same dissenting Opinion as in *Matter of Bridget Y.* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [Dec. 30, 2011]), in which LINDLEY, J., concurs.

Entered: December 30, 2011

Frances E. Cafarell  
Clerk of the Court