

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

1105

**CAF 11-01188**

PRESENT: FAHEY, J.P., PERADOTTO, CARNI, WHALEN, AND MARTOCHE, JJ.

---

IN THE MATTER OF MISTY S.

-----  
GENESEE COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

KAREN M., RESPONDENT-APPELLANT.  
(APPEAL NO. 2.)

---

DAVID J. PAJAK, ALDEN, FOR RESPONDENT-APPELLANT.

CHARLES N. ZAMBITO, COUNTY ATTORNEY, BATAVIA (PAULA A. CAMPBELL OF  
COUNSEL), FOR PETITIONER-RESPONDENT.

WENDY S. SISSON, ATTORNEY FOR THE CHILD, GENESEO, FOR MISTY S.

---

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered May 19, 2011 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred the guardianship and custody of Misty S. to petitioner.

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

Same Memorandum as in *Matter of Gena S.* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [Dec. 21, 2012]).

Entered: December 21, 2012

Frances E. Cafarell  
Clerk of the Court