

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

1031

CAF 13-01662

PRESENT: SMITH, J.P., PERADOTTO, VALENTINO, WHALEN, AND DEJOSEPH, JJ.

IN THE MATTER OF JENNIFER L. LANZAFAME,
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

ROBERT A. JONES, JR., RESPONDENT-RESPONDENT.

FRANK H. HISCOCK LEGAL AID SOCIETY, SYRACUSE (RUPAK R. SHAH OF
COUNSEL), FOR PETITIONER-APPELLANT.

D.J. & J.A. CIRANDO, ESQS., SYRACUSE (ELIZABETH deV. MOELLER OF
COUNSEL), FOR RESPONDENT-RESPONDENT.

Appeal from an order of the Family Court, Onondaga County (Thomas Benedetto, R.), entered July 22, 2013 in a proceeding pursuant to Family Court Act article 8. The order dismissed the petition.

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

Memorandum: Petitioner appeals from an order dismissing her Family Court Act article 8 petition alleging that respondent willfully violated an order of protection directing him to stay away from petitioner. We affirm. Contrary to petitioner's contention, she failed to establish by clear and convincing evidence that respondent willfully violated the terms of the order of protection (*cf. Matter of Mary Ann YY. v Edward YY.*, 100 AD3d 1253, 1254).

Entered: October 3, 2014

Frances E. Cafarell
Clerk of the Court