

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D54847
L/htr

_____AD3d_____

Submitted - February 6, 2018

LEONARD B. AUSTIN, J.P.
SHERI S. ROMAN
SANDRA L. SGROI
FRANCESCA E. CONNOLLY, JJ.

2016-12718

DECISION & ORDER

In the Matter of Piper S. (Anonymous).
Westchester County Department of Social Services,
petitioner-respondent, v Santiago S. (Anonymous),
appellant, et al., respondent.
(Proceeding No. 1)

In the Matter of Minerva S. (Anonymous), petitioner-
respondent, v Santiago S. (Anonymous), appellant,
et al., respondent.
(Proceeding No. 2)

(Docket Nos. N-16227-15, N-16229-15, V-7920-15,
V-11795-15, V-11797-15, V-236-16, V-238-16)

Stephen Kolnik, Yonkers, NY, for appellant in Proceeding Nos. 1 and 2.

John M. Nonna, County Attorney, White Plains, NY (James Castro-Blanco and Linda
M. Trentacoste of counsel), for petitioner-respondent in Proceeding No. 1.

Appeal from an order of the Family Court, Westchester County (Arlene E. Katz, J.),
dated September 23, 2016. The order, insofar as appealed from, directed the father to provide the
health insurance card for the subject child to the Westchester County Department of Social Services.

ORDERED that the order is affirmed insofar as appealed from, without costs or
disbursements.

The Westchester County Department of Social Services (hereinafter DSS)

March 21, 2018

Page 1.


MATTER OF S. (ANONYMOUS), PIPER
MATTER OF S. (ANONYMOUS) v S. (ANONYMOUS)

commenced this neglect proceeding pursuant to Family Court Act article 10 against the subject child's parents. Pursuant to an order dated April 1, 2016, the child was temporarily removed from the parents' custody and placed in the custody of the paternal grandmother. During a fact-finding hearing, the attorney for the paternal grandmother requested that the Family Court direct the father to provide the child's health insurance card. The court granted that request, and in an order dated September 23, 2016, the court directed the father to provide the child's health insurance card to DSS within 48 hours. The father appeals from that order.

Contrary to the father's contention, the Family Court did not err in directing him to provide the child's health insurance card to DSS so that it could be made available to the paternal grandmother, who had temporary custody of the child pending the outcome of the neglect proceeding. To the extent that the father is raising issues on this appeal which relate to a finding of contempt made by the court on November 4, 2016, those issues were not addressed in the order appealed from and, accordingly, those issues are not properly before this Court (*see Matter of Newman v Newman*, 72 AD3d 973, 973).

AUSTIN, J.P., ROMAN, SGROI and CONNOLLY, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court