

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

D55471
L/htr

_____AD3d_____

Submitted - April 20, 2018

WILLIAM F. MASTRO, J.P.
RUTH C. BALKIN
SYLVIA O. HINDS-RADIX
ANGELA G. IANNACCI, JJ.

2016-09897

DECISION & ORDER

In the Matter of Shawanda P. (Anonymous).
Administration for Children's Services, respondent;
Elliot J. (Anonymous), appellant.
(Proceeding No. 1)

In the Matter of Shanika P. (Anonymous).
Administration for Children's Services, respondent;
Elliot J. (Anonymous), appellant.
(Proceeding No. 2)

(Docket Nos. N-5121-15, N-5122-15)

Daniel E. Lubetsky, Jamaica, NY, for appellant.

Zachary W. Carter, Corporation Counsel, New York, NY (Claude S. Platton and
Melanie T. West of counsel), for respondent.

Joseph A. Fredericks, N. Bellmore, NY, attorney for the children.

In related proceedings pursuant to Family Court Act article 10, the father appeals from an order of fact-finding of the Family Court, Queens County (Connie Gonzalez, J.), dated May 12, 2016. The order, after a fact-finding hearing, found that the father neglected the subject children.

ORDERED that the order of fact-finding is affirmed, without costs or disbursements.

In these related proceedings pursuant to Family Court Act article 10, the Family Court issued an order of fact-finding in which it found that the father neglected the subject children (*see*

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Family Ct Act § 1012[f][i][B]). The father appeals.

The Family Court's finding that the father neglected the children was supported by a preponderance of the evidence (*see Matter of Emily R. [Martin C.]*, 140 AD3d 1074). The court, which saw and heard the witnesses, properly determined that the children's out-of-court statements regarding the father's conduct and alcohol consumption were sufficiently corroborated (*see Family Ct Act § 1046[a][vi]; Matter of Maya B. [Muke B.]*, 156 AD3d 784).

The father's remaining contentions are without merit.

MASTRO, J.P., BALKIN, HINDS-RADIX and IANNACCI, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court