

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

D55667
M/htr

_____AD3d_____

Argued - February 2, 2018

WILLIAM F. MASTRO, J.P.
MARK C. DILLON
JEFFREY A. COHEN
ANGELA G. IANNACCI, JJ.

2016-13337

DECISION & ORDER

In the Matter of Joyce Marcelle, petitioner, v Kimina J. Marcelle-Morrison, etc., respondent, Richard Charles Morrison, respondent-respondent; Jalen M. (Anonymous), et al., nonparty-appellants.

(Docket Nos. V-27627-15, V-27628-15)

Karen P. Simmons, Brooklyn, NY (Janet Neustaetter and Barbara H. Dildine of counsel), for nonparty-appellants.

Robert Marinelli, New York, NY, for respondent-respondent.

In a proceeding pursuant to Family Court Act article 6, the appeal is from an order of the Family Court, Kings County (Sharon A. Bourne-Clarke, J.), dated November 15, 2016. The order, after a hearing, dismissed the petition of the maternal grandmother for custody of the subject children.

By order to show cause dated January 31, 2018, the Children's Law Center and counsel for the father were directed to show cause before this Court why an order should or should not be made and entered dismissing the appeal.

Upon the order to show cause, and upon the argument of the appeal, it is

ORDERED that the motion to dismiss the appeal is granted; and it is further,

ORDERED that the appeal is dismissed, without costs or disbursements.

June 13, 2018

MATTER OF MARCELLE v MARCELLE-MORRISON

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The Children's Law Center had no authority to file a notice of appeal, or to appear, on behalf of the children, Jalen M. and Kai M., as the Children's Law Center was relieved as attorney for the children on November 15, 2016.

MASTRO, J.P., DILLON, COHEN and IANNACCI, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court