

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

D57274
M/htr

_____AD3d_____

Submitted - September 18, 2018

SHERI S. ROMAN, J.P.
ROBERT J. MILLER
FRANCESCA E. CONNOLLY
ANGELA G. IANNACCI, JJ.

2017-08714
2017-08715

DECISION & ORDER

In the Matter of Alexandria P. (Anonymous),
appellant.

(Docket No. S-1374-17)

Dawn M. Shammas, Harrison, NY, for appellant.

James M. Fedorchak, County Attorney, Poughkeepsie, NY (Linda D. Fakhoury of
counsel), for respondent.

In a proceeding pursuant to Family Court Act article 7, Alexandria P. appeals from (1) an order of fact-finding and disposition of the Family Court, Dutchess County (Joseph A. Egitto, J.), dated August 1, 2017, and (2) an order of detention of the same court, also dated August 1, 2017. The order of fact-finding and disposition, insofar as appealed from, after a dispositional hearing, placed Alexandria P. in the custody of the Dutchess County Commissioner of Social Services for a period of up to 12 months. The order of detention remanded Alexandria P. to a nonsecure detention facility pending her placement with the Dutchess County Commissioner of Social Services.

ORDERED that the appeal from the order of detention is dismissed, without costs or disbursements, as that order is not appealable as of right, and leave to appeal has not been granted (*see* Family Ct Act § 1112); and it is further,

ORDERED that the appeal from so much of the order of fact-finding and disposition as placed Alexandria P. in the custody of the Dutchess County Commissioner of Social Services for a period of up to 12 months is dismissed as academic, without costs or disbursements.

In March 2017, a petition was filed alleging that Alexandria P. was a person in need

November 14, 2018

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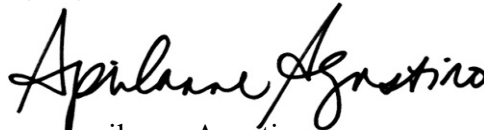
MATTER OF P. (ANONYMOUS), ALEXANDRIA

of supervision within the meaning of article 7 of the Family Court Act. Alexandria P. was subsequently adjudicated a person in need of supervision, and the Family Court, after a dispositional hearing, placed Alexandria P. in the custody of the Dutchess County Commissioner of Social Services for a period of up to 12 months. Alexandria P. appeals.

The portion of the order of fact-finding and disposition that placed Alexandria P. in the custody of the Dutchess County Commissioner of Social Services for a period of up to 12 months has expired by its own terms. Therefore, the appeal from so much of the order of fact-finding and disposition as placed Alexandria P. in the custody of the Dutchess County Commissioner of Social Services for a period of up to 12 months must be dismissed as academic (*see Matter of Shakeel Mc.*, 67 AD3d 913; *Matter of Bryanna P.*, 66 AD3d 784, 784; *Matter of Toni Ann O.*, 56 AD3d 563; *Matter of Joseph R.*, 49 AD3d 651; *Matter of Jeffrey McG.*, 8 AD3d 571).

ROMAN, J.P., MILLER, CONNOLLY and IANNACCI, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court