

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

M244415
E/rr

ALAN D. SCHEINKMAN, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
MARK C. DILLON
RUTH C. BALKIN, JJ.

2018-00151

ORDER ON CERTIFICATION
Assignment of Counsel

In the Matter of Nichelle S. E. B. (Anonymous).
Westchester County Department of Social Services,
petitioner-respondent; Kyondra E. (Anonymous),
respondent-appellant, et al., respondent.
(Proceeding No. 1)

In the Matter of Michael A. T. (Anonymous), Jr.
Westchester County Department of Social Services,
petitioner-respondent; Kyondra E. (Anonymous),
respondent-appellant, et al., respondent.
(Proceeding No. 2)

In the Matter of Hezekiah J.-M. E. (Anonymous).
Westchester County Department of Social Services,
petitioner-respondent; Kyondra E. (Anonymous),
respondent-appellant, et al., respondent.
(Proceeding No. 3)

In the Matter of Za-Nayla T. (Anonymous), Jr.
Westchester County Department of Social Services,
petitioner-respondent; Kyondra E. (Anonymous),
respondent-appellant, et al., respondent.
(Proceeding No. 4)

(Docket Nos. N-5190-16, N-5191-16, N-5192-16,
N-5193-16, N-5194-16, N-5195-16, N-5196-16,
N-5197-16)

January 12, 2018

MATTER OF B. (ANONYMOUS), NICHELLE S. E.

Page 1.

Appeal by Kyondra E. From an order of the Family Court, Westchester County, dated September 20, 2017. Pursuant to Family Court Act §§ 1118 and 1120, and upon the certification of Stephen Kolnik, Esq., dated December 14, 2017, it is

ORDERED that the respondent-appellant is granted leave to proceed as a poor person on the appeal, and the following named attorney is assigned as counsel to prosecute the appeal:

William Martin, Esq.
44 Church Street
White Plains, NY 10601
914-771-7711

and it is further,

ORDERED that assigned counsel shall promptly attempt to contact the respondent-appellant at the address provided by the Court, and on or before January 26, 2018, shall notify the Case Manager assigned to the appeal, in writing, that he has done so and that either

- (1) the respondent-appellant is interested in prosecuting the appeal, or
- (2) the respondent-appellant is not interested in prosecuting the appeal, or that he has been unable to contact the respondent-appellant, and wishes to be relieved of the assignment; and it is further,

ORDERED that the appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the respondent-appellant, the petitioner-respondent, and the attorney for the children, if any. The parties are directed to file nine copies of their respective briefs and to serve one copy on each other (22 NYCRR 670.9[d][1][ii]; Family Ct Act § 1116); and it is further,

ORDERED that the stenographer(s) and/or the transcription service(s) is/are required promptly to make and certify two transcripts of the proceedings, if any, except for those minutes previously transcribed and certified (22 NYCRR 671.9); in the case of stenographers, both transcripts shall be filed with the clerk of the Family Court, and the clerk of the Family Court shall furnish one of such certified transcripts to the respondent-appellant's counsel, without charge; in the case of transcription services, one transcript shall be filed with the clerk of the Family Court and one transcript shall be delivered to the assigned counsel. Assigned counsel is directed to provide copies of said transcripts to all of the other parties to the appeal, including the attorney for the children, if any, when counsel serves the respondent-appellant's brief upon those parties; and it is further,

ORDERED that the assigned counsel shall prosecute the appeal expeditiously in accordance with any scheduling order or orders issued pursuant to § 670.4(a) of the rules of this Court (22 NYCRR 670.4[a]); and it is further,

ORDERED that upon a determination that the respondent-appellant is interested in proceeding with the appeal, the assigned counsel is directed to serve a copy of this order upon the clerk of the court from which the appeal is taken.

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, 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

The Case Manager assigned to this case is Mr. Rose. Please contact him at 718-722-6487 with any questions.