

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

M244419
E/rr

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

2017-12528

ORDER ON CERTIFICATION
Assignment of Counsel

In the Matter of Oliver A. (Anonymous).
Suffolk County Department of Social Services,
petitioner-appellant-respondent; Oguis A.-D.
(Anonymous), respondent-respondent-appellant.
(Proceeding No. 1)

In the Matter of Walgely A. (Anonymous).
Suffolk County Department of Social Services,
petitioner-appellant-respondent; Oguis A.-D.
(Anonymous), respondent-respondent-appellant.
(Proceeding No. 2)

(Docket Nos. N-10172-16, N-10175-16)

Appeal by Suffolk County Department of Social Services, and cross appeal by Oguis A.-D., from an order of the Family Court, Suffolk County, dated October 13, 2017. Pursuant to Family Court Act §§ 1118 and 1120, and upon the certification of Jose F. Canosa, Esq., dated January 4, 2018, it is

ORDERED that Oguis A.-D. is granted leave to proceed as a poor person on the appeal and cross appeal, and the following named attorney is assigned as counsel to prosecute the cross appeal:

Gina Scelta, Esq.
54 Cherry Lane
Huntington, NY 11743
631-470-4903

January 16, 2018

MATTER OF A. (ANONYMOUS), OLIVER

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and it is further,

ORDERED that assigned counsel shall promptly attempt to contact Oguis A.-D. at the address provided by the Court, and on or before January 26, 2018, shall notify the Case Manager assigned to the appeal and cross appeal, in writing, that she has done so and that either

(1) Oguis A.-D. is interested in prosecuting the cross appeal, or

(2) Oguis A.-D. is not interested in prosecuting the cross appeal, or that she has been unable to contact Oguis A.-D., and wishes to be relieved of the assignment; and it is further,


ORDERED that the appeal and cross appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the parties. 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 assigned 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, including the attorney for the children, if any, when counsel serves a brief upon those parties; and it is further,

ORDERED that the assigned counsel shall prosecute the cross 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 Oguis A.-D. is interested in proceeding with the cross appeal, the assigned counsel is directed to serve a copy of this order upon the clerk of the Family Court, Suffolk County.

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

ENTER: 
Aprilanne Agostino
Clerk of the Court

The Case Manager assigned to this case is Ms. Vazquez. Please contact her at 718-722-6488 with any questions.