

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

M244552  
E/rr

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

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2017-11282

ORDER ON CERTIFICATION  
Assignment of Counsel

In the Matter of Raees T. B. (Anonymous),

(Docket No. D-12691-16)

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Appeal by Raees T. B. from an order of the Family Court, Westchester County, dated September 27, 2017. Pursuant to Family Court Act §§ 1118 and 1120, and upon the certification of David J. Peck, Esq., dated October 23, 2017, it is

ORDERED that pursuant to Family Court Act § 1120, the following named attorney is assigned as the attorney for the child on the appeal:

Keith G. Ingber, Esq.  
P.O. Box 66  
Thompson Ridge, NY 10985  
845-361-4659

and it is further,

ORDERED that David J. Peck, Esq., is directed to turn over all papers in the proceeding to the new attorney for the child herein assigned; 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 attorney for the child and the respondent(s). 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 attorney for the child, without charge; in the case of

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transcription services, one transcript shall be filed with the clerk of the Family Court and one transcript shall be delivered to the attorney for the child. The attorney for the child is directed to provide copies of said transcripts to all of the other parties to the appeal, when the attorney for the child serves a brief upon those parties; and it is further,

ORDERED that attorney for the child shall serve a copy of this order upon the clerk of the court from which the appeal is taken; and it is further,

ORDERED that the appeal in the above-entitled proceeding shall be perfected either within 60 days after the receipt by the attorney for the child of the transcripts of the minutes of the proceedings in the Family Court, and the attorney for the child shall notify this Court by letter of the date the transcripts are received, or, if there are no minutes of proceedings to be transcribed, within 60 days of the date of this scheduling order; and it is further,

ORDERED that within 30 days after the date of this order, the attorney for the child shall file in the office of the Clerk of this Court one of the following:

- (1) an affidavit or affirmation stating that there are no minutes of any Family Court proceeding to be transcribed for the appeal; or
- (2) if there are such minutes, an affidavit or affirmation that the transcripts have been received, and indicating the date received; or
- (3) if the transcripts have not been received, an affidavit or affirmation stating that this order has been served upon the clerk of the court from which the appeal is taken, the date thereof, and the date by which the transcripts are expected; or
- (4) an affidavit or an affirmation withdrawing the appeal; and it is further,

ORDERED that if none of the above actions described in (1), (2), (3), or (4) above, has been taken within 30 days of the date of this scheduling order, the Clerk of this Court shall issue an order to all parties to the appeal to show cause why the appeal should or should not be dismissed.

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.