

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

M245288
E/rr

MARK C. DILLON, J.P.
LEONARD B. AUSTIN
ROBERT J. MILLER
SYLVIA O. HINDS-RADIX, JJ.

2017-07317

DECISION & ORDER ON MOTION

In the Matter of Riyanna N. F. (Anonymous),
also known as Riyanna F. (Anonymous).
Forestdale, Inc., petitioner-respondent;
Crystal M. S. (Anonymous), respondent-appellant,
et al., respondent.

(Docket No. B-8156-16)

Motion by the respondent-appellant, inter alia, for a reconstruction hearing with respect to the proceedings which occurred on December 22, 2016, on an appeal from an order of the Family Court, Queens County, dated May 30, 2017, or, in the alternative, for a new trial.

Upon the papers filed in support of the motion and the papers filed in relation thereto,
it is

ORDERED that the branch of the motion which is for a reconstruction hearing with respect to the proceedings which occurred on December 22, 2016, is granted and the matter is referred to the Family Court, Queens County, for a reconstruction hearing with respect to the proceedings which occurred on December 22, 2016, in the above-entitled matter; if the minutes cannot be reconstructed the Family Court shall issue a report to this Court with all convenient speed; 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 reconstruction hearing, once said hearing has been completed, if the minutes can be reconstructed; the appellant is directed to provide copies of said transcripts to all of the other parties to the appeal, including the attorney for the child, if any, when counsel serves a brief upon those parties; and it is further,

ORDERED that the motion is otherwise held in abeyance in the interim; and it is further,

January 26, 2018

MTR OF F. (ANONYMOUS), RIYANNA N.

Page 1.

ORDERED that the appellant is directed to serve a copy of this decision and order on motion on the clerk of the court from which the appeal is taken.

DILLON, J.P., AUSTIN, MILLER and HINDS-RADIX, JJ., concur.

ENTER: 

Aprilanne Agostino
Clerk of the Court