

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

M245304
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2017-11931

SCHEDULING ORDER

In the Matter of Peter T. (Anonymous), Jr.
Westchester County Department of Social Services,
petitioner-respondent; Shay S. P. (Anonymous), also
known as Shay S. T. (Anonymous), et. al., respondents-
appellants.

(Docket Nos. N-8834-16, N-8835-16)

Appeal by Shay S. P., also known as Shay S. T., and separate appeal by Peter T., from an order of the Family Court, Westchester County, dated October 31, 2017. By order on certification of this Court dated January 8, 2018, the following attorney was assigned as counsel for the appellant Peter T. on the appeal:

Carol Carozza, Esq.
2525 Palmer Avenue, 2nd Floor
New Rochelle, NY 10801
914-235-1498

By letter dated January 23, 2018, the assigned counsel has informed this Court that the appellant Peter T. wishes to proceed with the appeal. Pursuant to § 670.4(a) of the rules of this Court (22 NYCRR 670.4[a]), it is

ORDERED that the appeal in the above-entitled proceeding shall be perfected either within 60 days after the receipt by the assigned counsel of the transcripts of the minutes of the proceedings in the Family Court, and the assigned counsel 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 scheduling order, the assigned counsel 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

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(2) if there are such minutes, an affidavit or affirmation stating that the transcript has been received, and indicating the date received; or

(3) if the transcript has not been received, an affidavit or affirmation stating that the order on certification of this Court dated January 8, 2018, has been served upon the clerk of the court from which the appeal is taken, the date thereof, and the date by which the transcript is 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.

ENTER:

A handwritten signature in cursive script that reads "Aprilanne Agostino".

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.