

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

M245355
SL/

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

2017-12115

In the Matter of Roger Dupont, respondent-appellant, v Antoinise Gaston, appellant-respondent; A. D., et al., nonparty-appellants.

ORDER ON CERTIFICATION
Assignment of Counsel

(Docket Nos. V-51-16/16D-F, V-52-16/16D-F, O-8-16, O-80-16/16B)

Appeal by Antoinise Gaston, separate appeal by A. D. and P. D., and cross appeal by Roger Dupont from an order of the Family Court, Rockland County, dated October 6, 2017. Pursuant to Family Court Act §§ 1118 and 1120, and upon the certification of Larry Gantt, Esq., dated January 24, 2018, it is

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

Salvatore C. Adamo, Esq.
350 Fifth Avenue, 59th Floor
New York, NY 10118
212-964-7983

and it is further,

ORDERED that assigned counsel shall promptly attempt to contact the respondent-appellant at the address provided by this Court, and on or before February 7, 2018, shall notify the Case Manager assigned to the appeals and cross appeal, in writing, that he has done so and that either

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

January 31, 2018

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ORDERED that the appeals 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 appellant-respondent, the respondent-appellant, 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 appellant-respondent'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 appeals and cross appeal, when counsel serves the appellant's brief upon those parties; and it is further,

ORDERED that the assigned counsel shall prosecute the respondent-appellant's 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 the respondent-appellant is interested in proceeding with his cross appeal, the assigned counsel is directed to serve a copy of this order upon the clerk of the court from which the appeals and cross appeal are taken.

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.