## SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Fourth Judicial Department

## 1611

CAF 09-02008

PRESENT: MARTOCHE, J.P., FAHEY, CARNI, LINDLEY, AND SCONIERS, JJ.
IN THE MATTER OF SHIAH AR.T.
NIAGARA COUNTY DEPARTMENT OF SOCIAL SERVICES, MEMORANDUM AND ORDER PETITIONER-RESPONDENT;
LEROY T., JR., RESPONDENT-APPELLANT. (APPEAL NO. 3.)
DEBRA D. WILSON, LOCKPORT, FOR RESPONDENT-APPELLANT.
SUSAN M. SUSSMAN, NIAGARA FALLS, FOR PETITIONER-RESPONDENT.
THOMAS M. O'DONNELL, ATTORNEY FOR THE CHILD, NIAGARA FALLS, FOR SHIAH AR.T.

Appeal from an order of the Family Court, Niagara County (David E. Seaman, J.), entered September 16, 2009 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Same Memorandum as in *Matter of Devonte M.T.* (\_\_\_\_ AD3d \_\_\_\_ [Dec. 30, 2010]).

Entered: December 30, 2010 Patricia L. Morgan Clerk of the Court