

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

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**CAF 09-01386**

PRESENT: CENTRA, J.P., FAHEY, LINDLEY, GORSKI, AND MARTOCHE, JJ.

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IN THE MATTER OF TYLER W.

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MONROE COUNTY DEPARTMENT OF HUMAN  
SERVICES, PETITIONER-RESPONDENT;

ORDER

MARTHA W., RESPONDENT-APPELLANT.

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PALOMA A. CAPANNA, PENFIELD, FOR RESPONDENT-APPELLANT.

WILLIAM K. TAYLOR, COUNTY ATTORNEY, ROCHESTER (PETER A. ESSLEY OF  
COUNSEL), FOR PETITIONER-RESPONDENT.

MARLENE A. ATTARDO, ATTORNEY FOR THE CHILD, FAIRPORT, FOR TYLER W.

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Appeal from an order of the Family Court, Monroe County (Dandrea L. Ruhlmann, J.), entered May 26, 2009 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, ordered that the permanency goal for the child is permanent placement with a fit and willing relative.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (*see Matter of Clancy v Paganini*, 45 AD3d 682).

Entered: April 29, 2011

Patricia L. Morgan  
Clerk of the Court