

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

1198

CAF 16-01629

PRESENT: WHALEN, P.J., SMITH, CENTRA, NEMOYER, AND CURRAN, JJ.

IN THE MATTER OF DENISE E., PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

AJJA M., RESPONDENT-APPELLANT,
EDWARD M., AND ONONDAGA COUNTY DEPARTMENT OF
CHILDREN AND FAMILY SERVICES,
RESPONDENTS-RESPONDENTS.
(APPEAL NO. 3.)

D.J. & J.A. CIRANDO, PLLC, SYRACUSE (ELIZABETH deV. MOELLER OF
COUNSEL), FOR RESPONDENT-APPELLANT.

ROBERT A. DURR, COUNTY ATTORNEY, SYRACUSE (MAGGIE SEIKALY OF COUNSEL),
FOR RESPONDENT-RESPONDENT ONONDAGA COUNTY DEPARTMENT OF CHILDREN AND
FAMILY SERVICES.

JOHN G. KOSLOSKY, UTICA, ATTORNEY FOR THE CHILDREN.

Appeal from an order of the Family Court, Onondaga County
(Michele Pirro Bailey, J.), entered May 31, 2016 in a proceeding
pursuant to Family Court Act article 6. The order, among other
things, granted petitioner sole legal and physical custody of Elajja
M. and Keviya M.

It is hereby ORDERED that the order so appealed from is
unanimously modified on the law by vacating the second ordering
paragraph to the extent that it delegates authority to petitioner to
determine the duration and frequency of respondent Ajja M.'s
supervised visitation with the children and vacating the sixth
ordering paragraph, and as modified the order is affirmed without
costs, and the matter is remitted to Family Court, Onondaga County,
for further proceedings in accordance with the same memorandum as in
Matter of Lakeya P. ([appeal No. 2] – AD3d – [Feb. 1, 2019] [4th Dept
2019]).

Entered: February 1, 2019

Mark W. Bennett
Clerk of the Court