

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

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**CAF 19-00054**

PRESENT: WHALEN, P.J., SMITH, CENTRA, TROUTMAN, AND WINSLOW, JJ.

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IN THE MATTER OF ADAM HENSHAW,  
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

CAROLINE HILDEBRAND, RESPONDENT-RESPONDENT.  
(APPEAL NO. 2.)

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CARA A. WALDMAN, FAIRPORT, FOR PETITIONER-APPELLANT.

PAUL BLEAKLEY, GENEVA, ATTORNEY FOR THE CHILDREN.

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Appeal from an order of the Family Court, Ontario County (Frederick G. Reed, A.J.), entered October 29, 2018 in a proceeding pursuant to Family Court Act article 6. The order granted respondent's motion to dismiss the petition.

It is hereby ORDERED that the order so appealed from is unanimously reversed on the law without costs, the motion is denied, the petition is reinstated, and the matter is remitted to Family Court, Ontario County, for further proceedings in accordance with the same memorandum as in *Matter of Henshaw v Hildebrand* ([appeal No. 1] – AD3d – [Feb. 5, 2021] [4th Dept 2021]).

Entered: February 5, 2021

Mark W. Bennett  
Clerk of the Court