

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

674

CAF 22-00477

PRESENT: WHALEN, P.J., LINDLEY, OGDEN, NOWAK, AND DELCONTE, JJ.

IN THE MATTER OF SHAYMARI R.

ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES,
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

LAMAR R. AND JEANETTE R.,
RESPONDENTS-APPELLANTS.
(APPEAL NO. 2.)

CAITLIN M. CONNELLY, BUFFALO, FOR RESPONDENT-APPELLANT LAMAR R.

CHARLES J. GREENBERG, AMHERST, FOR RESPONDENT-APPELLANT JEANETTE R.

REBECCA HOFFMAN, BUFFALO, FOR PETITIONER-RESPONDENT.

KELLY M. FORST, ROCHESTER, ATTORNEY FOR THE CHILD.

Appeals from an order of the Family Court, Erie County (Kelly A. Brinkworth, J.), dated March 7, 2022, in a proceeding pursuant to Family Court Act article 10. The order, insofar as appealed from, determined that respondent Lamar R. has abused the subject child and that respondent Jeanette R. had neglected the subject child.

It is hereby ORDERED that the order so appealed from is unanimously modified on the law by vacating the adjudication of neglect against respondent Jeanette R. and dismissing the petition against her and as modified the order is affirmed without costs.

Same memorandum as in *Matter of Zakiyyah T. (Lamar R.)* (- AD3d - [Nov. 17, 2023] [4th Dept 2023]).

Entered: November 17, 2023

Ann Dillon Flynn
Clerk of the Court