

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

122

**CAF 22-01139**

PRESENT: CURRAN, J.P., SMITH, GREENWOOD, DELCONTE, AND HANNAH, JJ.

---

IN THE MATTER OF KEVIN P.

-----  
ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

KRISTOPHER P., RESPONDENT-APPELLANT.  
(APPEAL NO. 2.)

---

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

MELISSA HORVATITS, BUFFALO, FOR PETITIONER-RESPONDENT.

DAVID C. SCHOPP, THE LEGAL AID BUREAU OF BUFFALO, INC., BUFFALO  
(RUSSELL E. FOX OF COUNSEL), ATTORNEY FOR THE CHILD.

---

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), dated June 14, 2022, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, found that respondent had derivatively abused the subject child.

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

Same memorandum as in *Matter of Leonard P. (Kristopher P.)* ([appeal No. 1] – AD3d – [Mar. 14, 2025] [4th Dept 2025]).

Entered: March 14, 2025

Ann Dillon Flynn  
Clerk of the Court