

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

220

**CAF 24-00179**

PRESENT: BANNISTER, J.P., MONTOUR, SMITH, NOWAK, AND DELCONTE, JJ.

---

IN THE MATTER OF MAGDALENA KOHLER,  
PETITIONER-APPELLANT,

V

ORDER

RANDOLPH BARDEN, JR., RESPONDENT-RESPONDENT.

---

FRANK H. HISCOCK LEGAL AID SOCIETY, SYRACUSE (THOMAS R. BABILON OF  
COUNSEL), FOR PETITIONER-APPELLANT.

CHARLES E. LUPIA, SYRACUSE, FOR RESPONDENT-RESPONDENT.

MICHAEL J. KERWIN, SYRACUSE, ATTORNEY FOR THE CHILD.

---

Appeal from an order of the Family Court, Onondaga County  
(Salvatore Pavone, R.), entered January 3, 2024, in a proceeding  
pursuant to Family Court Act article 6. The order dismissed the  
petition.

Now, upon reading and filing the stipulation of discontinuance  
signed by the attorneys for the parties on February 10, 2025,

It is hereby ORDERED that said appeal is unanimously dismissed  
without costs upon stipulation.

Entered: March 14, 2025

Ann Dillon Flynn  
Clerk of the Court