

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

558

**CAF 23-01718**

PRESENT: BANNISTER, J.P., MONTOUR, OGDEN, DELCONTE, AND KEANE, JJ.

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IN THE MATTER OF LATISHA M. MCCLARIN,  
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

TIMOTHY WHITEHEAD, SR., RESPONDENT-RESPONDENT.  
(APPEAL NO. 4.)

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

REBECCA J. TALMUD, WILLIAMSVILLE, ATTORNEY FOR THE CHILD.

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Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered September 26, 2023, in a proceeding pursuant to Family Court Act article 8. The order granted respondent's motion to, inter alia, dismiss the petition.

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

Same memorandum as in *Matter of McClarin v Whitehead* ([appeal No. 2] - AD3d - [June 27, 2025] [4th Dept 2025]).

Entered: June 27, 2025

Ann Dillon Flynn  
Clerk of the Court