

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

559

**CAF 23-01719**

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. 5.)

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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 dismissed the petition.

It is hereby ORDERED that said appeal is unanimously dismissed 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