

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

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**CAF 25-00067**

PRESENT: WHALEN, P.J., CURRAN, MONTOUR, SMITH, AND GREENWOOD, JJ.

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IN THE MATTER OF NICHOLAS J. MACRINA,  
PETITIONER-RESPONDENT-APPELLANT,

V

ORDER

ELLISSA M. MERRITT (ALSO KNOWN AS SALM),  
RESPONDENT-APPELLANT-RESPONDENT.

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IN THE MATTER OF ELLISSA M. MERRITT (ALSO KNOWN AS SALM),  
PETITIONER-APPELLANT-RESPONDENT,

V

NICHOLAS J. MACRINA, RESPONDENT-RESPONDENT-APPELLANT.

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PETER J. DIGIORGIO, JR., UTICA, FOR RESPONDENT-APPELLANT-RESPONDENT  
AND PETITIONER-APPELLANT-RESPONDENT.

GETNICK LIVINGSTON ATKINSON & PRIORE, LLP, UTICA (THOMAS L. ATKINSON  
OF COUNSEL), FOR PETITIONER-RESPONDENT-APPELLANT AND RESPONDENT-  
RESPONDENT-APPELLANT.

SCOTT BIELICKI, CHITTENANGO, ATTORNEY FOR THE CHILD.

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Appeal and cross-appeal from an order of the Family Court, Oneida  
County (Julia Brouillette, J.), entered November 18, 2024, in a  
proceeding pursuant to Family Court Act article 6. The order, inter  
alia, granted the parties joint legal custody of the subject child  
with primary physical residence to petitioner-respondent Nicholas J.  
Macrina.

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

Entered: February 11, 2026

Ann Dillon Flynn  
Clerk of the Court