

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

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CAF 24-01783

PRESENT: LINDLEY, J.P., BANNISTER, GREENWOOD, NOWAK, AND HANNAH, JJ.

IN THE MATTER OF JESSICA FANNING,
PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

JOSEPH CHAPMAN, RESPONDENT-APPELLANT.

LAW OFFICE OF VERONICA REED, SCHENECTADY (VERONICA REED OF COUNSEL),
FOR RESPONDENT-APPELLANT.

ANDREW S. GREENBERG, SYRACUSE, ATTORNEY FOR THE CHILDREN.

Appeal from an order of the Family Court, Onondaga County (Christina F. DeJoseph, J.), entered September 4, 2024, in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted petitioner's request for permission to relocate with the subject children.

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

Memorandum: In this proceeding pursuant to Family Court Act article 6, respondent father appeals from an order that granted petitioner mother's petition seeking permission to relocate with the subject children. While this appeal was pending, Family Court entered an order upon consent of the parties that modified the custody and visitation arrangement (*see Matter of Shilo v Shilo*, 177 AD3d 1315, 1316 [4th Dept 2019]). That order renders the appeal moot, "and the exception to the mootness doctrine does not apply" (*Matter of Thomas v Thomas*, 151 AD3d 1919, 1920 [4th Dept 2017]).

Entered: March 20, 2026

Ann Dillon Flynn
Clerk of the Court