

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

144

CA 24-01826

PRESENT: WHALEN, P.J., LINDLEY, CURRAN, SMITH, AND DELCONTE, JJ.

JULIE MORSE, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

BRADFORD MORSE, DEFENDANT-APPELLANT.

CATHERINE M. SULLIVAN, ESQ.,
ATTORNEY FOR THE CHILDREN, RESPONDENT.

ALDERMAN AND ALDERMAN PLLC, SYRACUSE (RICHARD B. ALDERMAN OF COUNSEL),
FOR DEFENDANT-APPELLANT.

MACKENZIE HUGHES LLP, SYRACUSE (CHRISTOPHER A. POWERS OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

CATHERINE M. SULLIVAN, LIVERPOOL, ATTORNEY FOR THE CHILDREN.

Appeal from an order of the Supreme Court, Onondaga County
(Danielle M. Fogel, J.), entered June 21, 2024. The order, among
other things, approved compensation for the Attorney for the Children.

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

Memorandum: Defendant in this matrimonial action appeals from an
order approving compensation for the Attorney for the Children. The
appeal must be dismissed because no appeal lies as of right from an
order that does not decide a motion made on notice (*see* CPLR 5701 [a];
Sholes v Meagher, 100 NY2d 333, 334 [2003]; *Deutsche Bank Natl. Trust
Co. v Miller*, 172 AD3d 1890, 1890 [4th Dept 2019]). Although we have
the power to treat the notice of appeal as an application for
permission to appeal, we decline to do so here (*see Matter of Cor Van
Rensselaer St. Co., III, Inc. v New York State Urban Dev. Corp.*, 197
AD3d 976, 977 [4th Dept 2021]).

Entered: April 24, 2026

Ann Dillon Flynn
Clerk of the Court