

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

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CAF 25-00301

PRESENT: LINDLEY, J.P., CURRAN, OGDEN, DELCONTE, AND HANNAH, JJ.

IN THE MATTER OF TAMRA J. WERNER,
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

KRAIG H. KENNEY, RESPONDENT-RESPONDENT.
(APPEAL NO. 2.)

INCLIMA LAW FIRM, PLLC, ROCHESTER (CHARLES P. INCLIMA OF COUNSEL), FOR
PETITIONER-APPELLANT.

JOAN DE R. O'BYRNE, ROCHESTER, MICHAEL STEINBERG, FOR
RESPONDENT-RESPONDENT.

SCOTT A. OTIS, WATERTOWN, ATTORNEY FOR THE CHILD.

Appeal from an order of the Family Court, Monroe County (Stacey Romeo, J.), entered December 17, 2024, in a proceeding pursuant to Family Court Act article 6. The order directed petitioner to pay respondent \$18,000 for legal fees and expenses, plus a fine of \$250.

It is hereby ORDERED that the order so appealed from is unanimously reversed on the law without costs and the fine and award of legal fees and expenses are vacated.

Same memorandum as in *Matter of Werner v Kenney* ([appeal No. 1] – AD3d – [May 1, 2026] [4th Dept 2026]).

Entered: May 1, 2026

Ann Dillon Flynn
Clerk of the Court