

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

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**CAF 14-00236**

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, SCONIERS, AND DEJOSEPH, JJ.

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IN THE MATTER OF GABRIELLE SMITH,  
PETITIONER-RESPONDENT,

V

ORDER

CHESTER THOMAS, SR., RESPONDENT-APPELLANT.

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TIMOTHY P. DONAHER, PUBLIC DEFENDER, ROCHESTER (JANE I. YOON OF  
COUNSEL), FOR RESPONDENT-APPELLANT.

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Appeal from an order of the Family Court, Monroe County (Patricia E. Gallaher, J.), entered December 6, 2013 in a proceeding pursuant to Family Court Act article 6. The order granted the petition for a modification of custody.

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

Entered: February 6, 2015

Frances E. Cafarell  
Clerk of the Court