

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

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**CAF 22-00409**

PRESENT: SMITH, J.P., LINDLEY, CURRAN, BANNISTER, AND MONTOUR, JJ.

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IN THE MATTER OF JEREMY P. SLAY,  
PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

BONITA L. SHARLOW, RESPONDENT-RESPONDENT,  
AND KATHERINE H. HUGHES, RESPONDENT-APPELLANT.  
(APPEAL NO. 2.)

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TODD G. MONAHAN, LITTLE FALLS, FOR RESPONDENT-APPELLANT.

D.J. & J.A. CIRANDO, PLLC, SYRACUSE (REBECCA L. KONST OF COUNSEL), FOR  
PETITIONER-RESPONDENT.

CARA A. WALDMAN, FAIRPORT, FOR RESPONDENT-RESPONDENT.

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

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Appeal from an order of the Family Court, Jefferson County (Eugene R. Renzi, A.J.), entered January 13, 2022 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted petitioner sole custody of the subject child and ordered that respondent Katherine H. Hughes participate in counseling, take prescribed medications and provide proof of a negative hair follicle test prior to having therapeutic visitation with the child.

It is hereby ORDERED that the order so appealed from is unanimously modified on the law by striking the phrase "once she re-engages in counseling, takes her medications as prescribed, and provides proof of a negative hair follicle test" from the second ordering paragraph and as modified the order is affirmed without costs and the matter is remitted to Family Court, Jefferson County, for further proceedings in accordance with the same memorandum as in *Matter of Sharlow v Hughes* (- AD3d - [Feb. 3, 2023] [4th Dept 2023]).

Entered: February 3, 2023

Ann Dillon Flynn  
Clerk of the Court