

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

693

**CAF 23-01836**

PRESENT: LINDLEY, J.P., MONTOUR, OGDEN, GREENWOOD, AND HANNAH, JJ.

---

IN THE MATTER OF NOEL J.

-----  
ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

NICOLE P., RESPONDENT-APPELLANT.  
(APPEAL NO. 5.)

---

CHARLES J. GREENBERG, AMHERST, FOR RESPONDENT-APPELLANT.

SAM FADUSKI, BUFFALO, FOR PETITIONER-RESPONDENT.

DAVID C. SCHOPP, THE LEGAL AID BUREAU OF BUFFALO, INC., BUFFALO  
(RUSSELL E. FOX OF COUNSEL), ATTORNEY FOR THE CHILD.

---

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered May 9, 2023, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, adjudged that respondent neglected the subject child.

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

Same memorandum as in *Matter of Nevaeh W. (Nicole P.)* ([appeal No. 6] – AD3d – [Oct. 3, 2025] [4th Dept 2025]).

Entered: October 3, 2025

Ann Dillon Flynn  
Clerk of the Court