

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

1230

**CAF 13-00876**

PRESENT: SCUDDER, P.J., CENTRA, LINDLEY, SCONIERS, AND VALENTINO, JJ.

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IN THE MATTER OF MARY L. KESSLER, PETITIONER,

V

MEMORANDUM AND ORDER

SCOTT M. FANCHER, RESPONDENT-RESPONDENT.

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SCOTT A. OTIS, ATTORNEY FOR THE CHILDREN,  
APPELLANT.  
(APPEAL NO. 5.)

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SCOTT A. OTIS, WATERTOWN, APPELLANT PRO SE.

MARY L. KESSLER, PETITIONER PRO SE.

SCOTT M. FANCHER, RESPONDENT-RESPONDENT PRO SE.

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Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered September 11, 2012 in a proceeding pursuant to Family Court Act article 8. The order dismissed the petition for an order of protection.

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

Same Memorandum as in *Matter of Kessler v Fancher* ([appeal No. 2] \_\_\_ AD3d \_\_\_ [Dec. 27, 2013]).

Entered: December 27, 2013

Frances E. Cafarell  
Clerk of the Court