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

## 1527

## CAF 16-02028

PRESENT: SMITH, J.P., CARNI, DEJOSEPH, NEMOYER, AND CURRAN, JJ.

IN THE MATTER OF TABITHA R. CHOUINARD, PETITIONER-RESPONDENT,

V ORDER

JAMES W. MARTIN, RESPONDENT-APPELLANT.

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IN THE MATTER OF JAMES W. MARTIN, PETITIONER-APPELLANT,

V

TABITHA R. CHOUINARD, RESPONDENT-RESPONDENT.

PALOMA A. CAPANNA, WEBSTER, FOR RESPONDENT-APPELLANT AND PETITIONER-APPELLANT.

RUTHANNE G. SANCHEZ, ATTORNEY FOR THE CHILDREN, WATERTOWN.

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Appeal from an order of the Family Court, Jefferson County (Eugene J. Langone, Jr., J.), entered October 25, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied the petition of respondent-petitioner seeking custody of the subject children.

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

Entered: December 22, 2017 Mark W. Bennett Clerk of the Court