

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

**226**

**CAF 16-01805**

PRESENT: WHALEN, P.J., SMITH, LINDLEY, DEJOSEPH, AND NEMOYER, JJ.

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IN THE MATTER OF DANIEL C. SOUDER,  
PETITIONER-RESPONDENT,

V

ORDER

MICHELLE COPPOLA, RESPONDENT-APPELLANT.  
(APPEAL NO. 1.)

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DEBORAH J. SCINTA, ORCHARD PARK, FOR RESPONDENT-APPELLANT.

MEGAN MISITI CUMBO, BUFFALO, FOR PETITIONER-RESPONDENT.

DAVID C. SCHOPP, THE LEGAL AID BUREAU OF BUFFALO, INC., BUFFALO  
(CHARLES D. HALVORSEN OF COUNSEL), ATTORNEY FOR THE CHILD.

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Appeal from an order of the Family Court, Erie County (Tracey A. Kassman, R.), entered August 29, 2016 in a proceeding pursuant to Family Court Act article 6. The order granted the petition to modify an order of custody and visitation dated May 25, 2012.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (*see Matter of Eric D.* [appeal No. 1], 162 AD2d 1051, 1051 [4th Dept 1990]).

Entered: March 16, 2018

Mark W. Bennett  
Clerk of the Court