

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

1035

CAF 16-01940

PRESENT: CENTRA, J.P., CARNI, NEMOYER, TROUTMAN, AND WINSLOW, JJ.

IN THE MATTER OF JOHN HEIDRICK, III,
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

ANGELA SHERMAN, RESPONDENT-RESPONDENT.

D.J. & J.A. CIRANDO, ESQS., SYRACUSE (ELIZABETH deV. MOELLER OF
COUNSEL), FOR PETITIONER-APPELLANT.

JOAN MERRY, HORNELL, ATTORNEY FOR THE CHILDREN.

Appeal from an order of the Family Court, Steuben County (Mathew K. McCarthy, A.J.), entered September 27, 2016 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition.

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

Memorandum: We affirm the order. We write only to note that the children's positions with respect to custody were clarified during oral argument of this appeal, and we conclude that the Attorney for the Children has fulfilled her responsibilities as set forth in 22 NYCRR 7.2 (d) (*cf. Matter of Brian S. [Tanya S.]*, 141 AD3d 1145, 1147 [4th Dept 2016]; *Matter of Mark T. v Joyanna U.*, 64 AD3d 1092, 1095 [3d Dept 2009], *lv denied* 15 NY3d 715 [2010]).

Entered: October 5, 2018

Mark W. Bennett
Clerk of the Court