

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

**797**

**CAF 18-00741**

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

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IN THE MATTER OF HENRY G., JR., AMILEEANA G.,  
AND SELENA T.

MEMORANDUM AND ORDER

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MONROE COUNTY DEPARTMENT OF HUMAN SERVICES,  
PETITIONER-RESPONDENT;

AMELINDA L., RESPONDENT, AND  
DANNY T., RESPONDENT-APPELLANT.

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TIMOTHY P. DONAHER, PUBLIC DEFENDER, ROCHESTER (DAVID R. JUERGENS OF  
COUNSEL), FOR RESPONDENT-APPELLANT.

MICHAEL E. DAVIS, COUNTY ATTORNEY, ROCHESTER (CAROL EISENMAN OF  
COUNSEL), FOR PETITIONER-RESPONDENT.

LORENZO NAPOLITANO, ROCHESTER, ATTORNEY FOR THE CHILD.

PAUL B. WATKINS, FAIRPORT, ATTORNEY FOR THE CHILDREN.

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Appeal from an order of the Family Court, Monroe County (Dandrea L. Ruhlmann, J.), entered April 12, 2018 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent Danny T. had neglected the subject children.

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

Memorandum: In this proceeding pursuant to Family Court Act article 10, respondent father appeals from a fact-finding and dispositional order that, inter alia, adjudged that he neglected the subject children. We affirm. Contrary to the father's contention, there is a sound and substantial basis in the record supporting Family Court's determination that petitioner met its burden of establishing his neglect of the subject children (*see Matter of Sean P. [Brandy P.]*, 156 AD3d 1339, 1339-1340 [4th Dept 2017], *lv denied* 31 NY3d 903 [2018]). We have reviewed the father's remaining contention and conclude that it lacks merit.

Entered: September 27, 2019

Mark W. Bennett  
Clerk of the Court