

Matter of ETHAN H. (ETHAN H.)

Motion No: CV-26-0218

Slip Opinion No: 2026 NY Slip Op 65594(U)

Decided on March 30, 2026

Appellate Division, Third Department, Motion Decision

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State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: March 30, 2026

CV-26-0218

In the Matter of ETHAN H., Alleged to
be a Juvenile Delinquent.

DECISION AND ORDER
ON MOTION

MATTHEW VAN HOUTEN, as
Tompkins County Attorney,
Respondent;

ETHAN H.,
Appellant.

Motion, pursuant to Family Ct Act § 1114 (b), for stay pending appeal of order of Family Court, Tompkins County, entered January 6, 2026, and for other relief.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, and having heard oral argument thereon, it is

ORDERED that the motion is granted, without costs, and the order of Family Court, Tompkins County, entered January 6, 2026, is stayed, effective April 8, 2026, and appellant is returned to the custody of the Tompkins County Department of Social Services pending determination of the appeal. It is further

ORDERED that the stay is granted without prejudice to further proceedings before Tompkins County Family Court and/or Onondaga County Family Court concerning the underlying proceeding pursuant to Family Ct Act article 3, and it is further

ORDERED that the stay is granted without prejudice to periodic permanency hearings pursuant to Family Ct Act article 10-A conducted by Tompkins County Family Court pursuant to appellant's underlying placement in the custody of the Tompkins County Department of Social Services pursuant to Family Ct Act article 10, and it is further

ORDERED that the stay is granted without prejudice to further progress being made toward appropriate placement of appellant, including placement with his father or other suitable individual should such placement be found to be appropriate and in appellant's best interest. It is further

ORDERED that the appeal is set down for the May-June 2026 term of this Court. Appellant shall file a brief and record on appeal on or before April 24, 2026. The brief of respondent shall be filed and served on or before May 15, 2026. A reply brief, if any, shall be filed and served on or before May 22, 2026.

ENTER:

A handwritten signature in blue ink, appearing to read "Christine M. Clark". The signature is fluid and cursive, with a long horizontal stroke at the end.

Hon. Christine M. Clark
Associate Justice