

**Matter of Maxwell P.**

Motion No: 3549

Slip Opinion No: 2020 NYSlipOp 75540(U)

Decided on December 03, 2020

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the  
Official Reports.

**Supreme Court of the State of New York**  
**Appellate Division, First Judicial Department**

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

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In the Matter of  
Maxwell P.,

**Confidential**

Motion No. 3549  
Case No. 2020-04334  
Docket No. NN-00537-19

A Child Under 18 Years of Age Alleged to be  
Neglected and/or Abused Under Article 10  
of the Family Court Act.

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Administration for Children's Services,  
Petitioner-Respondent,

-against-

Katherine S.,  
Respondent-Appellant.  
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Janet E. Sabel, Esq., The Legal Aid Society,  
Attorney for the Child.

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Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken to this Court from an order of the Family Court, Bronx County, entered on or about April 28, 2020, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Monica S. Eskin, Esq., dated November 2, 2020, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven P. Forbes, Esq., 223 Wall Street - Suite 143, Huntington NY 11743, Telephone No. (718) 791-8444, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk**; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court; and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court. The Clerk of the Family Court shall transfer the record upon receipt of this order.**

ENTERED: December 03, 2020



Susanna Molina Rojas  
Clerk of the Court

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<sup>1</sup> Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.