

Matter of Rising Ground

Motion No: 2022-02378

Slip Opinion No: 2022 NYSlipOp 68802(U)

Decided on July 19, 2022

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, Dianne T. Renwick Sallie Manzanet-Daniels Judith J. Gische Barbara R. Kapnick,	Presiding Justice, Justices.
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In the Matter of the Application of

Confidential

Rising Ground,

Motion No. **2022-02378**

Petitioner,

Case No. 2022-02538

Docket Nos. B-3285-21

B-3286-21

For the Guardianship and Custody of

Bishop Zion W.,

Massiah Z. M., also known as Massiah W.,

also known as Messiah M., also known as

Messiah W.,

Dependent children under the age of
Eighteen Years Pursuant to the Provisions
of Section §384-b of the Social Services Law
of the State of New York.

Nikita W.,

Respondent-Appellant.

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken to this Court from two orders and judgments (each one paper) of the Family Court, Bronx County, entered on or about May 24, 2022, for the 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 Joseph Santo, Esq., dated June 10, 2022, 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 Section 1120 of the Family Court Act, Carol Kahn, Esq., P.O. Box 1592, New York, New York, 10028, Telephone No. 212-744-7365, 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 therefor¹ **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: July 19, 2022



Susanna Molina Rojas
Clerk of the Court

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