

**Matter of Mental Hygiene Legal Serv. v Delaney**

Motion No: 527772

Slip Opinion No: 2022 NY Slip Op 74507(U)

Decided on November 17, 2022

Appellate Division, Third Department, Motion Decision

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

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

Decided and Entered: November 17, 2022

527772

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In the Matter of MENTAL HYGIENE  
LEGAL SERVICE, on Behalf of OLIVIA  
CC., an Infant,

Appellant,

v

KERRY DELANEY, as Acting  
Commissioner of the Office for People  
with Developmental Disabilities, et al.,

Respondents,  
et al.,  
Respondent.

DECISION AND ORDER  
ON MOTION

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Motion to recall and vacate opinion and order of this Court.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that, under the unique circumstances of this appeal, the motion is granted to the extent that the opinion and order of this Court decided and entered August 8, 2019, is vacated and the appeal is dismissed, as moot, without costs.

Garry, P.J., Lynch, Aarons and Pritzker, JJ., concur.

ENTER:

Robert D. Mayberger  
Clerk of the Court