

Matter of Cody X. (Eugenie X.)

Motion No: CV-23-2131

Slip Opinion No: 2024 NY Slip Op 63795(U)

Decided on March 06, 2024

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 6, 2024

CV-23-2131

In the Matter of CODY X., Alleged to be an
Abandoned Child.

ST. LAWRENCE COUNTY
DEPARTMENT OF SOCIAL
SERVICES,

Respondent;

EUGENE X.,

Appellant.

DECISION AND ORDER
ON MOTION

Application for permission to proceed as a poor person on appeal and for assignment of counsel.

Upon the papers filed in support of the application, and no papers having been filed in opposition thereto, and upon consideration of the recommendation of the St. Lawrence County Plan, it is

ORDERED that the application is granted and Heidi Dennis, Esq., Rural Law Center of New York, Inc., 22 US Oval, Suite 101, Plattsburgh, NY 12903, is assigned to represent appellant upon this appeal pursuant to Family Ct Act § 1120, and it is further

ORDERED that if the appeal has not been registered with NYSCEF, counsel shall register the appeal within 14 days of the date of this decision and order, and it is further

ORDERED that the appeal shall be perfected by the appendix method in accordance with section 1250.5 (c) of the Practice Rules of the Appellate Division and sections 850.7 (b) and 850.9 (a) of this Court's Rules of Practice, and it is further

ORDERED that pursuant to CPLR 1102, the Clerk of the Family Court of St. Lawrence County is directed to furnish two copies of the transcripts of the stenographic minutes of all proceedings in the matter: one to appellant's counsel along with a copy of any other paper or document on file in that office except those which appellate counsel or the court from which the appeal is taken determines are not material and relevant to this appeal, and the second copy of said transcripts to the Clerk of this Court, and the transcripts shall be omitted from the hard copy of the record, and it is further

ORDERED that if the appeal is not perfected by May 6, 2024, appellate counsel shall make an application on notice for a further extension of time to perfect the appeal.

Garry, P.J., Aarons, Reynolds Fitzgerald and Mackey, JJ., concur.

ENTER:

Robert D. Mayberger
Clerk of the Court