

Matter of Forestdale, Inc. v Sammie L.H.

Motion No: 2024-03012

Slip Opinion No: 2024 NY Slip Op 72633(U)

Decided on August 15, 2024

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. Dianne T. Renwick,
Sallie Manzanet-Daniels
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing,

Presiding Justice,

Justices.

In the Matter of the Application of

Forestdale, Inc.,
For the Guardianship and Custody of

Confidential
Motion No. 2024-03012
Case No. 2024-03870
Docket No. B-7737/22

Tristan L.H., also known as Tristan B.,

A Dependent Child Under 18 Years of Age
Pursuant to the Provisions of Section 384-b
of the Social Services Law of the State of
New York.

Forestdale Inc.,
Petitioner-Respondent,

-against-

Sammie L. H.,
Respondent-Appellant,

Shanae M. H., also known as Shanae M. B.,
Respondent.

Holly Graham, Esq.,
Legal Aid Society,
Attorney for the Child.

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken to this Court from orders of the Family Court, Bronx County, entered on or about June 14, 2024, 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 Jessica Brown, Esq., dated June 20, 2024, 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, Thomas R. Villecco, Esq., 30 Wall Street, 8th Floor, New York, N.Y., 10005, Telephone No. 212-925-0320, 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: August 15, 2024



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.