

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

M71432  
E/sl

ROBERT A. SPOLZINO, J.P.  
FRED T. SANTUCCI  
RANDALL T. ENG  
JOHN M. LEVENTHAL, JJ.

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2007-08632

DECISION & ORDER ON MOTION

In the Matter of Shakima S. (Anonymous).  
Administration for Children's Services, petitioner-  
respondent; Shaun S. (Anonymous), appellant,  
et al., respondent.  
(Proceeding No. 1)

In the Matter of Joseph T. M. (Anonymous).  
Administration for Children's Services, petitioner-  
respondent; Shaun S. (Anonymous), appellant,  
et al., respondent.  
(Proceeding No. 2)

(Docket Nos. N-28101/05, N-28299/06)

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Motion by the attorney for the child on an appeal from an order of the Family Court, Kings County, dated September 18, 2007, in effect, to strike Point II of the appellant's brief on the ground that it raises issues relating to a decision of the same court dated April 23, 2007, that are not properly before the court, and to enlarge the time to serve and file a brief.

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

ORDERED that the motion is granted; and it is further,

ORDERED that Point II is stricken from the appellant's brief, and on or before June 26, 2008, the appellant shall either delete or remove the stricken material from the copies of the brief on file with the Clerk of this court or serve and file a replacement brief that does not contain the stricken material; and it is further,

June 5, 2008

MATTER OF S. (ANONYMOUS), SHAKIMA

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ORDERED that the point I of the petitioner-respondent's brief is stricken, and on or before July 28, 2008, the petitioner-respondent shall either delete or remove point I from the copies of its brief on file with the Clerk of this court or serve and file a replacement brief that does not count on that material; and it is further,

ORDERED that the time of the attorney for the child to serve and file a brief is enlarged until July 28, 2008, and the brief of the attorney for the child must be served and filed on or before that date.

SPOLZINO, J.P., SANTUCCI, ENG and LEVENTHAL, JJ., concur.

ENTER:

A handwritten signature in cursive script that reads "James Edward Pelzer".

James Edward Pelzer  
Clerk of the Court