

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

M80644
E/sl

REINALDO E. RIVERA, J.P.
EDWARD D. CARNI
RANDALL T. ENG
JOHN M. LEVENTHAL, JJ.

2008-10198

DECISION & ORDER ON MOTION

In the Matter of Megan R. W. (Anonymous),
a/k/a Megan W. (Anonymous), a/k/a Megan
M. (Anonymous).
Little Flower Children Services, et al., respondents;
Connie W. (Anonymous), et al., appellants.

(Docket No. B-1763-07)

Motion by the appellant John W., in effect, to stay all adoption proceedings concerning the subject child, pending hearing and determination of an appeal from an order of the Family Court, Kings County, dated October 1, 2008, for leave to prosecute the appeal as a poor person, and for the assignment of counsel.

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

ORDERED that the branch of the motion which is, in effect, to stay all adoption proceedings concerning the subject child is granted to the extent that finalization of the adoption of the subject child is stayed pending hearing and determination of the appeal, and that branch of the motion is otherwise denied; and is further,

ORDERED that the branches of the motion which are for leave to prosecute the appeal of the appellant John W. as a poor person and for the assignment of counsel are granted; and it is further,

ORDERED that the appeals will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the appellants, the respondents, and the attorney for the child, if any. The parties are directed to file nine copies of their respective briefs and to serve one copy on each other (22 NYCRR 670.9[d][1][ii]; Family Ct Act § 1116); and it is further,

January 2, 2009

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MATTER OF W. (ANONYMOUS), MEGAN R., a/k/a W. (ANONYMOUS), MEGAN, a/k/a
M. (ANONYMOUS), MEGAN

ORDERED that pursuant to Family Court Act § 1120 the following named attorney is assigned as counsel to prosecute the appeal for the appellant John W.:

Jeffrey C. Bluth, Esq.
415 Albermarle Rd.
Brooklyn, New York 11218
(718) 435-5357


and it is further,

ORDERED that the assigned counsel shall prosecute the appeal expeditiously in accordance with any scheduling order or orders issued pursuant to § 670.4(a) of the rules of this court (22 NYCRR 670.4[a]); and it is further,

ORDERED that assigned counsel is directed to serve a copy of this order upon the Clerk of the court from which the appeals are taken.

RIVERA, J.P., CARNI, ENG and LEVENTHAL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court