

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

M88670
E/sl

STEVEN W. FISHER, J.P.
HOWARD MILLER
DANIEL D. ANGIOLILLO
L. PRISCILLA HALL, JJ.

2009-05429

DECISION & ORDER ON MOTION

In the Matter of Arthur S. (Anonymous).
Administration for Children's Services,
appellant; Rose S. (Anonymous), et al.,
respondents.

(Docket No. N-2302/08)

Motion by the appellant to stay enforcement of an order of the Family Court, Richmond County, dated June 9, 2009, to continue a temporary order of protection dated March 31, 2009, and to continue its supervision over the subject child, pending hearing and determination of an appeal from the order.

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

ORDERED that the motion is granted, and enforcement of the order is stayed and the temporary order of protection dated March 31, 2009, which authorized supervised visitation with the respondent Rose S., and supervision by the appellant over the subject child is continued, pending hearing and determination of the appeal on condition that the appeal is perfected on or before August 25, 2009; and it is further,

ORDERED that in the event the appeal is not perfected on or before August 25, 2009, the court, on its own motion, may vacate the stay, or the respondents may move to vacate the stay, on three days notice; and it is further,

ORDERED that the briefs of the respondent(s) and the attorney for the child, if any, in the above-entitled appeal, shall be served and filed on or before September 24, 2009; and it is further,

June 26, 2009

MATTER OF S. (ANONYMOUS), ARTHUR

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ORDERED that the appellant's reply brief, if any, shall be served and filed on or before October 9, 2009.

FISHER, J.P., MILLER, ANGIOLILLO and HALL, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style with a large initial "J".

James Edward Pelzer
Clerk of the Court