

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

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S/nl

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2009-05784

SCHEDULING ORDER

In the Matter of Samantha B. (Anonymous).  
Administration for Children's Services,  
petitioner-respondent, Arthur Eugene  
S. (Anonymous), Jr., appellant, et al., respondents.  
(Proceeding No. 1)

In the Matter of Legend B. (Anonymous).  
Administration for Children's Services,  
petitioner-respondent, Arthur Eugene  
S. (Anonymous), Jr., appellant, et al., respondents.  
(Proceeding No. 2)

In the Matter of Alexander B. (Anonymous).  
Administration for Children's Services,  
petitioner-respondent, Arthur Eugene  
S. (Anonymous), Jr., appellant, et al., respondents.  
(Proceeding No. 3)

(Docket Nos. N-27977-05, N-2798-05,  
N-27979-05)

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Appeal by Arthur Eugene S. from an order of the Family Court, Kings County, dated April 1, 2009. By order on certification dated July 14, 2009, the following attorney was assigned as counsel on the appeal:

Richard Cardinale, Esq.  
26 Court Street, Suite 1815  
Brooklyn, New York 11242  
(718) 624-9391

By letter dated August 13, 2009, assigned counsel has notified this court that the appellant wishes to pursue the appeal. Pursuant to § 670.4(a) of the Rules of this court (22 NYCRR 670.4[a]), it is

August 19, 2009

MATTER OF B. (ANONYMOUS), SAMANTHA

Page 1.

ORDERED that the appeal in the above-entitled proceeding shall be perfected either within 60 days after the receipt by the assigned counsel of the transcripts of the minutes of the proceedings in the Family Court, and the assigned counsel shall notify this court by letter of the date the transcripts are received, or, in cases where there are no minutes of proceedings to be transcribed, within 60 days of the date of this scheduling order; and it is further,

ORDERED that within 30 days after the date of this scheduling order, the assigned counsel shall file in the office of the Clerk of this court one of the following:

- (1) an affidavit or affirmation stating that there are no minutes of any Family Court proceeding to be transcribed for the appeal; or
- (2) if there are such minutes, an affidavit or affirmation that the transcripts have been received, and indicating the date received; or
- (3) if the transcripts have not been received, an affidavit or affirmation stating that the order of this court dated July 14, 2009, has been served upon the clerk of the court from which the appeal is taken, the date thereof, and the date by which the transcripts are expected; or
- (4) an affidavit or an affirmation withdrawing the appeal; and it is further,

ORDERED that if none of the above actions described in (1), (2), (3), or (4) above, has been taken within 30 days of the date of this scheduling order, the Clerk of the court shall issue an order to all parties to the appeal to show cause why the appeal should or should not be dismissed.

ENTER:



James Edward Pelzer  
Clerk of the Court

The Case Manager assigned to this case is Mr. Rose. Please contact him at 718-722-6487 with any questions.