

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

M91569
E/sl

WILLIAM F. MASTRO, J.P.
JOHN M. LEVENTHAL
CHERYL E. CHAMBERS
SHERI S. ROMAN, JJ.

2009-07988

DECISION & ORDER ON MOTION

In the Matter of Destined X. A. (Anonymous).
Administration for Children's Services,
petitioner-respondent; Heather M. B. (Anonymous),
et al., respondents; Crystal L. Screen, etc., nonparty-
appellant; Sophia A. (Anonymous), et al., nonparty-
respondent; SCO Family of Services, nonparty-
respondent.
(Proceeding No. 1)

In the Matter of Kaiylin M.-A. A. (Anonymous).
Administration for Children's Services,
petitioner-respondent; Heather M. B. (Anonymous),
et al., respondents; Crystal L. Screen, etc., nonparty-
appellant; Sophia A. (Anonymous), et al., nonparty-
respondent; SCO Family of Services, nonparty-
respondent.
(Proceeding No. 2)

In the Matter of Samara B. (Anonymous).
Administration for Children's Services,
petitioner-respondent; Heather M. B. (Anonymous),
et al., respondents; Crystal L. Screen, etc., nonparty-
appellant; Sophia A. (Anonymous), et al., nonparty-
respondent; SCO Family of Services, nonparty-
respondent.
(Proceeding No. 3)

September 3, 2009

MATTER OF A. (ANONYMOUS), DESTINED X.

Page 1.

In the Matter of Sean C. J. (Anonymous).
Administration for Children's Services,
petitioner-respondent; Heather M. B. (Anonymous),
et al., respondents; Crystal L. Screen, etc., nonparty-
appellant; Sophia A. (Anonymous), et al., nonparty-
respondent; SCO Family of Services, nonparty-
respondent.
(Proceeding No. 4)

(Docket Nos. N-1453-03, N-1454-03, N-7009-03,
N-20730/07)

Motion by the attorney for the children to stay enforcement of so much of an order of the Family Court, Queens County, dated August 12, 2009, as awarded Sophia A. overnight visitation on alternate weekends, pending hearing and determination of the appeal from the order.

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

ORDERED that the motion is granted, and enforcement of so much of the order dated August 12, 2009, as awarded Sophia A. overnight visitation on alternate weekends is stayed pending hearing and determination of the appeal on condition that the appeal is perfected on or before November 2, 2009; and it is further,

ORDERED that in the event the appeal is not perfected on or before November 2, 2009, the court, on its own motion, may vacate the stay, or the parties may move to vacate the stay, on three days notice; and it is further,

ORDERED that pending hearing and determination of the appeal Sophia A. shall have visitation with the children Destined X. A., Kaiylin M.-A. A., and Samara B., from 10 A.M. to 7:00 P.M., on alternate Saturdays, commencing September 5, 2009; and it is further,

ORDERED that poor person relief for the attorney for the children is continued (*see* Family Ct Act § 1120[b]); and it is further,

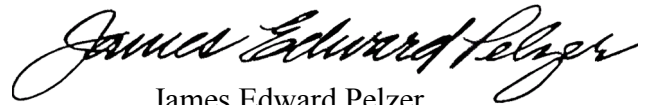
ORDERED that the appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the appellant and the respondents. The parties are directed to file nine copies of their respective briefs and to serve one copy on each other (22 NYCRR 670.9[d][1][ii];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

ORDERED that on or before October 5, 2009, the transcription service(s) is/are required to make and certify two transcripts of the proceedings, if any; the transcription service(s) shall file one transcript of all other proceedings with the Clerk of the Family Court and shall furnish one transcript of all other proceedings to the attorney for the children, without charge. The attorney for the children is directed to provide copies of transcripts of the other proceedings to all of the other parties to the appeal, when counsel serves a brief upon those parties; and it is further,

ORDERED that the attorney for the children is directed to serve a copy of this order upon the Clerk of the court from which the appeal is taken.

MASTRO, J.P., LEVENTHAL, CHAMBERS and ROMAN, JJ., concur.

ENTER:

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

James Edward Pelzer
Clerk of the Court