SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Fourth Judicial Department

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CAF 08-01279

PRESENT: SMITH, J.P., FAHEY, PERADOTTO, CARNI, AND GORSKI, JJ.

IN THE MATTER OF ATHENA MULHOLLAND, PETITIONER-APPELLANT,

V ORDER

TODD A. BOSS, RESPONDENT-RESPONDENT.

MATTHEW D. NAFUS, SCOTTSVILLE, FOR PETITIONER-APPELLANT.

WENDY S. SISSON, GENESEO, FOR RESPONDENT-RESPONDENT.

JEFFREY T. MALLABER, LAW GUARDIAN, CALEDONIA, FOR AMY B. AND OWEN B.

BONITA J. STUBBLEFIELD, LAW GUARDIAN, PIFFARD, FOR JENNA B.

Appeal from an order of the Family Court, Livingston County (Robert B. Wiggins, J.), entered September 28, 2007 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: March 20, 2009 JoAnn M. Wahl Clerk of the Court