

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

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CAF 08-01062

PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, GREEN, AND GORSKI, JJ.

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IN THE MATTER OF DENNIS R. GAUSS,  
PETITIONER-APPELLANT,

V

ORDER

JENNIFER L. GAUSS, RESPONDENT-RESPONDENT.

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IN THE MATTER OF JENNIFER L. GAUSS,  
PETITIONER-RESPONDENT,

V

DENNIS R. GAUSS, RESPONDENT-APPELLANT.

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BRENDAN O'DONNELL, INTERLAKEN, FOR PETITIONER-APPELLANT AND  
RESPONDENT-APPELLANT.

DAVID G. WALLACE, BATH, FOR RESPONDENT-RESPONDENT AND PETITIONER-  
RESPONDENT.

CHRISTINE M. VALKENBURGH, LAW GUARDIAN, BATH, FOR LYDIA G.

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Appeal from an order of the Family Court, Steuben County  
(Marianne Furfure, J.), entered April 8, 2008 in a proceeding pursuant  
to Family Court Act article 6. The order modified a prior order of  
custody and visitation.

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

Entered: April 24, 2009

Patricia L. Morgan  
Deputy Clerk of the Court