

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

**548**

**CAF 07-02246**

PRESENT: MARTOCHE, J.P., SMITH, CENTRA, FAHEY, AND PINE, JJ.

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IN THE MATTER OF EMILY W.

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NIAGARA COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

YVONNE P., RESPONDENT-APPELLANT.  
(APPEAL NO. 2.)

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ROBERT M. PUSATERI, CONFLICT DEFENDER, LOCKPORT (EDWARD P. PERLMAN OF  
COUNSEL), FOR RESPONDENT-APPELLANT.

SUSAN M. SUSSMAN, NIAGARA FALLS, FOR PETITIONER-RESPONDENT.

TIMOTHY D. HASELEY, LAW GUARDIAN, LOCKPORT, FOR EMILY W.

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Appeal from an order of the Family Court, Niagara County (John F. Batt, J.), entered September 24, 2007 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

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

Same Memorandum as in *Matter of Ronnie P.* ([appeal No. 1] \_\_\_\_ AD3d \_\_\_\_ [June 5, 2009]).

Entered: June 5, 2009

Patricia L. Morgan  
Clerk of the Court