

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

1413

CAF 07-02690, CAF 08-00419

PRESENT: SCUDDER, P.J., CENTRA, FAHEY, GREEN, AND GORSKI, JJ.

IN THE MATTER OF FRANCIS S., TEQUILAROSE H. AND
JESSEJAMES H.

ONONDAGA COUNTY DEPARTMENT OF SOCIAL SERVICES, MEMORANDUM AND ORDER
PETITIONER-RESPONDENT;

WENDY H. AND JEREMY H., RESPONDENTS-APPELLANTS.

LINDA M. CAMPBELL, SYRACUSE, FOR RESPONDENT-APPELLANT JEREMY H.

CHRISTINE M. COOK, SYRACUSE, FOR RESPONDENT-APPELLANT WENDY H.

GORDON J. CUFFY, COUNTY ATTORNEY, SYRACUSE (SARA J. LANGAN OF
COUNSEL), FOR PETITIONER-RESPONDENT.

SUSAN B. MARRIS, LAW GUARDIAN, MANLIUS, FOR FRANCIS S., TEQUILAROSE H.
AND JESSEJAMES H.

Appeals from an order of the Family Court, Onondaga County
(Martha E. Mulroy, J.), entered January 15, 2008 in a proceeding
pursuant to Family Court Act article 10. The order placed
respondents' children in the custody of petitioner.

It is hereby ORDERED that said appeals are unanimously dismissed
without costs.

Memorandum: Respondent parents each appeal from an order that,
inter alia, placed their children in the custody of petitioner. We
dismiss the appeals as moot inasmuch as the order has since expired by
its own terms and was superseded by an order entered in July 2008
following a permanency hearing (*see Matter of Giovanni K.*, 62 AD3d
1242, 1243, *lv denied* 12 NY3d 715). We conclude that the exception to
the mootness doctrine does not apply herein (*see Matter of Sasha M.*,
43 AD3d 1401).

Entered: November 13, 2009

Patricia L. Morgan
Clerk of the Court