

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

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**CAF 10-01019**

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

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IN THE MATTER OF TONYA HELLES,  
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

LUKE HELLES, SR., RESPONDENT-RESPONDENT.  
(APPEAL NO. 3.)

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WYOMING COUNTY-ATTICA LEGAL AID BUREAU, LIVINGSTON COUNTY CONFLICT  
DEFENDER, WARSAW (EDWARD L. CHASSIN OF COUNSEL), FOR  
PETITIONER-APPELLANT.

KATHLEEN P. REARDON, ROCHESTER, FOR RESPONDENT-RESPONDENT.

WENDY S. SISSON, ATTORNEY FOR THE CHILDREN, GENESEO, FOR ABIGAIL H.,  
JASMINE H., ISAAC H., LUKE H., JR. AND DYLAN H.

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Appeal from an order of the Family Court, Livingston County  
(Robert B. Wiggins, J.), entered April 8, 2010 in a proceeding  
pursuant to Family Court Act article 8. The order dismissed the  
petitions.

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

Same Memorandum as in *Matter of Helles v Helles* ([appeal No. 1]  
\_\_\_ AD3d \_\_\_ [Sept. 30, 2011]).

Entered: September 30, 2011

Patricia L. Morgan  
Clerk of the Court