

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

**934**

**CAF 10-01548**

PRESENT: SMITH, J.P., FAHEY, PERADOTTO, LINDLEY, AND SCONIERS, JJ.

---

IN THE MATTER OF ALICIA DILLARD,  
PETITIONER-RESPONDENT,

V

ORDER

DERRICK HILL, RESPONDENT-APPELLANT.

-----  
ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES,  
RESPONDENT-RESPONDENT.

---

ALAN BIRNHOLZ, EAST AMHERST, FOR RESPONDENT-APPELLANT.

JOSEPH T. JARZEMBEK, BUFFALO, FOR RESPONDENT-RESPONDENT.

DAVID C. SCHOPP, ATTORNEY FOR THE CHILD, THE LEGAL AID BUREAU OF  
BUFFALO, INC., BUFFALO (CHARLES D. HALVORSEN OF COUNSEL), FOR DERRICKA  
W.H.

---

Appeal from an order of the Family Court, Erie County (Margaret  
O. Szczur, J.), entered April 6, 2010 in a proceeding pursuant to  
Family Court Act article 6. The order granted petitioner custody of  
the subject child.

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

Entered: September 30, 2011

Patricia L. Morgan  
Clerk of the Court