

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

**1447**

**CAF 10-02002**

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

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IN THE MATTER OF DONNA H., SEAN H.,  
AND CHLOE H.

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ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

ORDER

RICHARD H., RESPONDENT-APPELLANT,  
AND TIFFANY H., RESPONDENT.

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BERNADETTE M. HOPPE, BUFFALO, FOR RESPONDENT-APPELLANT.

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

DAVID C. SCHOPP, ATTORNEY FOR THE CHILDREN, THE LEGAL AID BUREAU OF  
BUFFALO, INC., BUFFALO (CHARLES D. HALVORSEN OF COUNSEL), FOR DONNA  
H., SEAN H., AND CHLOE H.

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Appeal from an order of the Family Court, Erie County (Margaret  
O. Szczur, J.), entered September 14, 2010 in a proceeding pursuant to  
Family Court Act article 10. The order, inter alia, determined that  
respondent Richard H. had neglected the subject children.

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

Entered: December 23, 2011

Frances E. Cafarell  
Clerk of the Court