

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

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CAF 11-00272

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

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IN THE MATTER OF JOSEPH D.A.

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ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

STEPHANIE M., RESPONDENT-APPELLANT,  
AND JOHNNY N., RESPONDENT.  
(APPEAL NO. 2.)

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ALAN BIRNHOLZ, EAST AMHERST, FOR RESPONDENT-APPELLANT.

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

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

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Appeal from an order of the Family Court, Erie County (Margaret  
O. Szczur, J.), entered January 26, 2011 in a proceeding pursuant to  
Family Court Act article 10. The order, among other things, placed  
respondent Stephanie M. under the supervision of petitioner.

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

Same Memorandum as in *Matter of Claudina E.P.* (\_\_\_ AD3d \_\_\_ [Jan.  
31, 2012]).

Entered: January 31, 2012

Frances E. Cafarell  
Clerk of the Court