

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

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**CAF 10-02452**

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, CARNI, AND MARTOCHE, JJ.

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IN THE MATTER OF ALLISON E. NOON,  
PETITIONER-APPELLANT,

V

ORDER

BENJAMIN E. NOON, RESPONDENT-RESPONDENT.

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PETER J. DIGIORGIO, JR., UTICA, FOR PETITIONER-APPELLANT.

TIMOTHY A. BENEDICT, ROME, FOR RESPONDENT-RESPONDENT.

JOHN P. AMUSO, ATTORNEY FOR THE CHILDREN, CLINTON, FOR ROBERT N. AND PEYTON N.

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Appeal from an order of the Family Court, Oneida County (Louis P. Gigliotti, A.J.), entered November 24, 2010 in a proceeding pursuant to Family Court Act article 6. The order dismissed the violation and modification petitions.

Now, upon reading and filing the stipulation withdrawing appeal signed by the attorneys for the parties on December 13 and 19, 2011 and by the Attorney for the Children on December 16, 2011,

It is hereby ORDERED that said appeal is unanimously dismissed without costs upon stipulation.

Entered: February 10, 2012

Frances E. Cafarell  
Clerk of the Court