

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

1207

**CA 12-00653**

PRESENT: SCUDDER, P.J., FAHEY, CARNI, VALENTINO, AND MARTOCHE, JJ.

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KENNETH L. CRACAS,  
PLAINTIFF-RESPONDENT-APPELLANT,

V

ORDER

KERRI A. CRACAS,  
DEFENDANT-APPELLANT-RESPONDENT.

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LISA BETH OLDER, NEW YORK CITY, FOR DEFENDANT-APPELLANT-RESPONDENT.

ROSS & GOULD-ROSS, ROCHESTER (DAVID G. ROSS OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT-APPELLANT.

STEPHEN R. WARNER, ATTORNEY FOR THE CHILDREN, SODUS, FOR RYAN C. AND  
DYLAN C.

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Appeal and cross appeal from an order of the Supreme Court,  
Monroe County (Richard A. Dollinger, A.J.), entered November 23, 2011.  
The order, inter alia, granted plaintiff sole legal custody of the  
parties' children.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs for reasons stated in the decision  
at Supreme Court.

Entered: November 9, 2012

Frances E. Cafarell  
Clerk of the Court