

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

1456

**CAF 11-02334**

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

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IN THE MATTER OF ERICA WILLIAMS,  
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

SHAWN EPPS, RESPONDENT-RESPONDENT.  
(APPEAL NO. 2.)

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ALAN BIRNHOLZ, EAST AMHERST, FOR PETITIONER-APPELLANT.

ELIZABETH CIAMBRONE, BUFFALO, FOR RESPONDENT-RESPONDENT.

PATRICIA M. MCGRATH, ATTORNEY FOR THE CHILD, LOCKPORT, FOR RYLIE E.

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Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered October 21, 2011 in a proceeding pursuant to Family Court Act article 6. The order dismissed the violation petition.

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

Same Memorandum as in *Matter of Williams v Epps* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [Dec. 21, 2012]).

Entered: December 21, 2012

Frances E. Cafarell  
Clerk of the Court