

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

1459

CA 12-00265

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

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IN THE MATTER OF THE APPLICATION  
OF CATHERINE H., DAUGHTER,  
PETITIONER-RESPONDENT,

ORDER

FOR THE APPOINTMENT OF A GUARDIAN OF THE  
PERSON AND/OR PROPERTY OF DOLORES H., A  
PERSON ALLEGED TO BE INCAPACITATED.

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SUSAN H., APPELLANT.

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SUSAN H., APPELLANT PRO SE.

CHRIS T. BRUNEA, BOWMANSVILLE, FOR PETITIONER-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Frank A. Sedita, Jr., J.), entered April 7, 2011 in a proceeding pursuant to Mental Hygiene Law article 81. The order, among other things, granted the cross motion of Catherine H. for referral of all accounting issues to Surrogate's Court, Erie County.

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

Entered: December 21, 2012

Frances E. Cafarell  
Clerk of the Court