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

115 CAF 12-00153

PRESENT: CENTRA, J.P., PERADOTTO, CARNI, SCONIERS, AND WHALEN, JJ.

IN THE MATTER OF MARIO A.B.

ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES, PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

ANGELO B., RESPONDENT-APPELLANT, AND LISA E., RESPONDENT. (APPEAL NO. 3.)

WILLIAM D. BRODERICK, JR., ELMA, 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 MARIO A.B.

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered December 29, 2011 in a proceeding pursuant to Family Court Act article 10. The order adjudged that respondent Angelo B. neglected the subject child.

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

Same Memorandum as in *Matter of Alissia E.C.* (____ AD3d ____ [Mar. 22, 2013]).

Entered: March 22, 2013 Frances E. Cafarell Clerk of the Court