

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

1020

CAF 15-01464

PRESENT: CENTRA, J.P., CARNI, LINDLEY, TROUTMAN, AND WINSLOW, JJ.

IN THE MATTER OF MICHAEL G. WHITNEY,
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

DENISE T. WHITNEY, RESPONDENT-RESPONDENT.
(APPEAL NO. 1.)

LOVALLO & WILLIAMS, BUFFALO (TIMOTHY R. LOVALLO OF COUNSEL), FOR
PETITIONER-APPELLANT.

DAVID S. SARKOVICS, ATTORNEY FOR THE CHILD, ORCHARD PARK.

Appeal from an order of the Family Court, Erie County (Michael F. Griffith, J.), entered August 6, 2015 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for a modification of a prior custody order.

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

Same memorandum as in *Matter of Whitney v Whitney* ([appeal No. 3] ___ AD3d ___ [Oct. 6, 2017]).

Entered: October 6, 2017

Mark W. Bennett
Clerk of the Court