

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

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**CAF 14-02289**

PRESENT: SMITH, J.P., CENTRA, DEJOSEPH, CURRAN, AND SCUDDER, JJ.

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IN THE MATTER OF IAN WALKER,  
PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

SUNSHINE CARROLL, RESPONDENT-APPELLANT.  
(APPEAL NO. 2.)

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DAVID J. PAJAK, ALDEN, FOR RESPONDENT-APPELLANT.

BENNETT SCHECHTER ARCURI & WILL, LLP, BUFFALO (ANDREW F. EMBORSKY OF  
COUNSEL), FOR PETITIONER-RESPONDENT.

LYDIA V. EVANS, ATTORNEY FOR THE CHILD, FREDONIA.

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Appeal from an order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 24, 2014 in a proceeding pursuant to Family Court Act article 6. The order denied the motion of respondent to vacate a prior court order awarding sole custody of the subject child to petitioner.

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

Same memorandum as in *Matter of Walker v Carroll* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [June 10, 2016]).

Entered: June 10, 2016

Frances E. Cafarell  
Clerk of the Court