

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

1021

**CAF 15-01465**

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

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

V

MEMORANDUM AND ORDER

DENISE T. WHITNEY, RESPONDENT-RESPONDENT.  
(APPEAL NO. 2.)

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

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

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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 alleging a violation of a prior order.

It is hereby ORDERED that the order so appealed from is unanimously affirmed 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