

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

**963**

**CA 17-01502**

PRESENT: WHALEN, P.J., SMITH, DEJOSEPH, TROUTMAN, AND WINSLOW, JJ.

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IN THE MATTER OF THE PROCEEDING FOR THE  
APPOINTMENT OF A GUARDIAN FOR EUGENE DAVID  
COLELLO, PURSUANT TO SCPA ARTICLE 17-A.

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MICHELLE A. COLELLO, PETITIONER-RESPONDENT,

V

ORDER

EUGENE G. COLELLO, RESPONDENT-APPELLANT.

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LISA J. ALLEN, ESQ. AND STANLEY J.  
COLLESANO, ESQ., RESPONDENTS.  
(APPEAL NO. 2.)

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STANLEY J. COLLESANO, LLC, BUFFALO (SEAN A. FITZGERALD OF COUNSEL),  
FOR RESPONDENT STANLEY J. COLLESANO, ESQ.

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Appeal from an order of the Surrogate's Court, Erie County  
(Barbara Howe, S.), entered August 4, 2016. The order, among other  
things, reserved decision on respondent Eugene G. Colello's motion for  
leave to reargue and renew.

It is hereby ORDERED that said appeal is unanimously dismissed  
without costs (*see Forrestel v Jonkman*, 148 AD3d 1674, 1675 [4th Dept  
2017]).

Entered: December 21, 2018

Mark W. Bennett  
Clerk of the Court