

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

**1141**

**CAF 12-01862**

PRESENT: CENTRA, J.P., FAHEY, CARNI, SCONIERS, AND VALENTINO, JJ.

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IN THE MATTER OF HOLLY A. BRENNAN,  
PETITIONER-RESPONDENT,

V

ORDER

JAMES E. BRENNAN, III, RESPONDENT-RESPONDENT.

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ELIZABETH A. SAMMONS, ESQ., ATTORNEY FOR THE  
CHILD, APPELLANT.

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ELIZABETH A. SAMMONS, WILLIAMSON, ATTORNEY FOR THE CHILD, APPELLANT  
PRO SE.

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Appeal from an order of the Family Court, Wayne County (Dennis M. Kehoe, J.), entered September 12, 2012 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, determined that petitioner shall have primary physical custody of the subject child.

Now, upon reading and filing the stipulations of discontinuance signed by the parties on October 19 and 21, 2013 and by the child and the attorney for the child on October 21 and December 20, 2013, respectively,

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

Entered: January 3, 2014

Frances E. Cafarell  
Clerk of the Court