

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

**942**

**CAF 13-01269**

PRESENT: SCUDDER, P.J., CENTRA, CARNI, LINDLEY, AND WHALEN, JJ.

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IN THE MATTER OF JEREMY A. MCNEIL,  
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

MICHAEL DEERING, BETH L. DEERING AND TINA  
DEERING, RESPONDENTS-RESPONDENTS.  
(APPEAL NO. 5.)

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CHARLES J. GREENBERG, AMHERST, FOR PETITIONER-APPELLANT.

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Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered June 18, 2013 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for modification of custody.

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

Same Memorandum as in *Matter of McNeil v Deering* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [Sept. 26, 2014]).

Entered: September 26, 2014

Frances E. Cafarell  
Clerk of the Court