

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

**1025**

**CAF 13-01252**

PRESENT: CENTRA, J.P., PERADOTTO, CARNI, WHALEN, AND DEJOSEPH, JJ.

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IN THE MATTER OF SOPHIA M.G.K.

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MONROE COUNTY DEPARTMENT OF HUMAN SERVICES,  
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

TRACY G.K., RESPONDENT-APPELLANT.  
(APPEAL NO. 1.)

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DAVISON LAW OFFICE, PLLC, CANANDAIGUA (MARY P. DAVISON OF COUNSEL),  
FOR RESPONDENT-APPELLANT.

MERIDETH H. SMITH, COUNTY ATTORNEY, ROCHESTER (PETER A. ESSLEY OF  
COUNSEL), FOR PETITIONER-RESPONDENT.

BETH A. RATCHFORD, ATTORNEY FOR THE CHILD, ROCHESTER.

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Appeal from an order of the Family Court, Monroe County (Dandrea L. Ruhlmann, J.), entered June 18, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, terminated the parental rights of respondent with respect to the subject child and freed the child for adoption.

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

Memorandum: Respondent mother appeals from two dispositional orders that, inter alia, terminated her parental rights with respect to the two subject children and freed the children for adoption. We affirm the order in each appeal.

We conclude with respect to both appeals that, contrary to the mother's contention, Family Court's determinations that she permanently neglected the children are supported by clear and convincing evidence (*see Matter of Peter D.*, 262 AD2d 998, 998). The mother failed to obtain required mental health evaluations and to obtain a suitable and stable housing situation (*see Matter of Jessica Lynn W.*, 244 AD2d 900, 901). "Because she failed to make any progress in overcoming the problems that initially endangered the children and continued to prevent their safe return, the court properly found that [the mother] was unable to make an adequate plan for her children's future" (*Matter of Rebecca D.*, 222 AD2d 1092, 1092; *see Social Services Law* § 384-b [7] [a]). The court's determinations in both appeals that it was in the children's best interests to be adopted by the foster parents with whom they had lived for most of their lives

rather than to be returned to the mother is entitled to great deference (see *Matter of Elijah D. [Allison D.]*, 74 AD3d 1846, 1847), and we see no reason to disturb the court's determinations.

We have reviewed the mother's remaining contention in appeal No. 1 and conclude that it is without merit.