

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

848

CAF 15-01348

PRESENT: SMITH, J.P., CENTRA, PERADOTTO, LINDLEY, AND NEMOYER, JJ.

IN THE MATTER OF MELANIE WACHOWIAK,
PETITIONER-APPELLANT,

V

ORDER

WILLIAM W. KELLY, III, RESPONDENT-RESPONDENT.
(APPEAL NO. 2.)

DENIS A. KITCHEN, JR., WILLIAMSVILLE, FOR PETITIONER-APPELLANT.

VENZON LAW FIRM PC, BUFFALO (CATHARINE M. VENZON OF COUNSEL), FOR
RESPONDENT-RESPONDENT.

GIOVANNI GENOVESE, ATTORNEY FOR THE CHILDREN, BUFFALO.

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered July 10, 2015 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition of Melanie Wachowiak seeking sole custody of the subject children.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see *Matter of Tristyn R. [Jacqueline Z.] [appeal No. 2]*, 144 AD3d 1611, 1612).

Entered: June 9, 2017

Frances E. Cafarell
Clerk of the Court