

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

1251

CAF 20-00923

PRESENT: SMITH, J.P., PERADOTTO, NEMOYER, WINSLOW, AND DEJOSEPH, JJ.

IN THE MATTER OF JOHN F. MCINTOSH,
PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

JOHN A. MCINTOSH, RESPONDENT-APPELLANT.
(APPEAL NO. 2.)

TIMOTHY P. DONAHER, PUBLIC DEFENDER, ROCHESTER (JANET C. SOMES OF
COUNSEL), FOR RESPONDENT-APPELLANT.

Appeal from an order of the Family Court, Monroe County (Kristin F. Splain, R.), entered September 19, 2019 in a proceeding pursuant to Family Court Act article 8. The order, among other things, denied respondent's motion to vacate a default order of protection.

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

Same memorandum as in *Matter of McIntosh v McIntosh* ([appeal No. 1] - AD3d - [Dec. 23, 2020] [4th Dept 2020]).

Entered: December 23, 2020

Mark W. Bennett
Clerk of the Court