

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

1137

**CAF 20-00881**

PRESENT: CENTRA, J.P., PERADOTTO, NEMOYER, TROUTMAN, AND WINSLOW, JJ.

---

IN THE MATTER OF NICHOLAS JOSEPH LECLAIR,  
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

LACEY JO FERGUSON, RESPONDENT-RESPONDENT, AND  
EMILY ROSE WHIPPLE, RESPONDENT-APPELLANT.  
(APPEAL NO. 2.)

---

NICHOLAS JOSEPH LECLAIR, PETITIONER-APPELLANT PRO SE.

EMILY ROSE WHIPPLE, RESPONDENT-APPELLANT PRO SE.

ROSE T. PLACE, GLENS FALLS, ATTORNEY FOR THE CHILDREN.

---

Appeal from an order of the Family Court, Warren County (Jeffrey D. Wait, A.J.), entered June 7, 2019 in a proceeding pursuant to Family Court Act article 6. The order, among other things, dismissed the petition to modify a prior order of visitation.

It is hereby ORDERED that said appeal insofar as taken by respondent Emily Rose Whipple is unanimously dismissed and the order is affirmed without costs.

Same memorandum as in *Matter of Ferguson v LeClair* ([appeal No. 1] – AD3d – [Feb. 5, 2021] [4th Dept 2021]).

Entered: February 5, 2021

Mark W. Bennett  
Clerk of the Court