

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

**32/20**

**CAF 18-00929**

PRESENT: PERADOTTO, J.P., CARNI, CURRAN, WINSLOW, AND DEJOSEPH, JJ.

---

IN THE MATTER OF BRIANNA M.H., DOMINIK J.H.,  
AND TYLER J.H.

-----  
ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

ORDER

DOUGLAS J.H., RESPONDENT, AND  
CRYSTAL H., RESPONDENT-APPELLANT.

---

WILLIAM D. BRODERICK, JR., ELMA, FOR RESPONDENT-APPELLANT.

EMIL J. CAPPELLI, BUFFALO, FOR PETITIONER-RESPONDENT.

DAVID C. SCHOPP, THE LEGAL AID BUREAU OF BUFFALO, INC., BUFFALO  
(RUSSELL E. FOX OF COUNSEL), ATTORNEY FOR THE CHILDREN.

---

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered March 12, 2018 in a proceeding pursuant to Family Court Act article 10. The order denied the motion of respondent Crystal H. to vacate the temporary order of protection issued November 13, 2017 and to vacate a certain provision of the order on review entered on November 29, 2017.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on September 30, 2021,

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

Entered: November 12, 2021

Ann Dillon Flynn  
Clerk of the Court