

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

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CAF 21-01391

PRESENT: WHALEN, P.J., SMITH, CENTRA, WINSLOW, AND BANNISTER, JJ.

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IN THE MATTER OF JUSTIN R. CUTTEN,  
PETITIONER-RESPONDENT-APPELLANT,

V

ORDER

DEVAN R. HARRINGTON,  
RESPONDENT-PETITIONER-RESPONDENT.

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MARY ANNE CONNELL, ESQ., ATTORNEY FOR  
THE CHILD, APPELLANT.

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KAMAN BERLOVE MARAFIOTI JACOBSTEIN & GOLDMAN, LLP, ROCHESTER (GARY  
MULDOON OF COUNSEL), FOR PETITIONER-RESPONDENT-APPELLANT.

MARY ANNE CONNELL, BUFFALO, ATTORNEY FOR THE CHILD, APPELLANT PRO SE.

GERALD J. VELLA, SPRINGVILLE, FOR RESPONDENT-PETITIONER-RESPONDENT.

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Appeals from an order of the Family Court, Allegany County  
(Terrence M. Parker, J.), entered September 3, 2021 in a proceeding  
pursuant to Family Court Act article 6. The order, among other  
things, adjudged that the parties share joint custody of the subject  
child with primary placement with respondent-petitioner Devan R.  
Harrington.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs for reasons stated in the decision  
at Family Court.

Entered: September 30, 2022

Ann Dillon Flynn  
Clerk of the Court