

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

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CAF 22-01011

PRESENT: SMITH, J.P., LINDLEY, CURRAN, BANNISTER, AND OGDEN, JJ.

IN THE MATTER OF KATRINA TUTTLE,
PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

KRISTINE WORTHINGTON, DONALD WORTHINGTON,
ANDREW WORTHINGTON, RESPONDENTS-APPELLANTS,
AND ALLEGANY COUNTY DEPARTMENT OF SOCIAL
SERVICES, RESPONDENT-RESPONDENT.

MICHAEL J. CAPUTO, ESQ., ATTORNEY FOR THE
CHILD, APPELLANT.
(APPEAL NO. 1.)

KAMAN BERLOVE LLP, ROCHESTER (GARY MULDOON OF COUNSEL), FOR
RESPONDENTS-APPELLANTS KRISTINE WORTHINGTON AND DONALD WORTHINGTON.

THOMAS L. PELYCH, HORNELL, FOR RESPONDENT-APPELLANT ANDREW
WORTHINGTON.

MICHAEL J. CAPUTO, ROCHESTER, ATTORNEY FOR THE CHILD, APPELLANT PRO
SE.

ERICKSON WEBB SCOLTON & HAJDU, LAKEWOOD (LYLE T. HAJDU OF COUNSEL),
FOR PETITIONER-RESPONDENT.

Appeals from an order of the Family Court, Allegany County
(Terrence M. Parker, J.), entered May 16, 2022, in a proceeding
pursuant to Family Court Act article 6. The order, among other
things, awarded petitioner custody of the subject child.

It is hereby ORDERED that said appeals are unanimously dismissed
without costs.

Same memorandum as in *Matter of Tuttle v Worthington* ([appeal
No. 2] - AD3d - [Aug. 11, 2023] [4th Dept 2023]).

Entered: August 11, 2023

Ann Dillon Flynn
Clerk of the Court