

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

1060

**CAF 22-00513**

PRESENT: SMITH, J.P., CURRAN, BANNISTER, GREENWOOD, AND NOWAK, JJ.

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IN THE MATTER OF KRISTIN E. MCGONNELL,  
PETITIONER-RESPONDENT,

V

ORDER

JAMES K. MCGONNELL, RESPONDENT-APPELLANT.

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CHARLES J. GREENBERG, AMHERST, FOR RESPONDENT-APPELLANT.

CAITLIN M. CONNELLY, BUFFALO, FOR PETITIONER-RESPONDENT.

BRIAN P. DEGNAN, BATAVIA, ATTORNEY FOR THE CHILDREN.

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Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered March 23, 2022, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, awarded petitioner sole custody of the subject children.

Now, upon reading and filing the stipulations of discontinuance signed by the attorneys for the parties on December 18, 2023, and January 6, 2024,

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

Entered: February 2, 2024

Ann Dillon Flynn  
Clerk of the Court