

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

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CAF 23-01371

PRESENT: SMITH, J.P., CURRAN, MONTOUR, NOWAK, AND DELCONTE, JJ.

IN THE MATTER OF ROSHEADA DAVIS,
PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

ARDEN MARSHALL, RESPONDENT-APPELLANT.

LAW OFFICE OF MAURICE J. VERRILLO, P.C., ROCHESTER (LUCY ANDERSON
BRADO OF COUNSEL), FOR RESPONDENT-APPELLANT.

Appeal from an order of the Family Court, Monroe County (Tanya Conley, R.), entered May 8, 2023, in a proceeding pursuant to Family Court Act article 8. The order granted petitioner an order of protection.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Memorandum: In this proceeding pursuant to Family Court Act article 8, respondent appeals from an order of protection entered upon a finding that she committed the family offense of aggravated harassment in the second degree against petitioner, her niece (see Penal Law § 240.30; see also Family Ct Act § 812 [1]). Respondent's challenges to the order are not preserved for our review (see *Smith v Woods Constr. Co.*, 309 AD2d 1155, 1157 [4th Dept 2003]; see generally *Miller v Miller*, 68 NY2d 871, 873 [1986]; *Matter of Hill v Trojnor*, 137 AD3d 1671, 1672 [4th Dept 2016]), and we decline to review her challenges in the interest of justice.

Entered: June 14, 2024

Ann Dillon Flynn
Clerk of the Court