

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

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CAF 18-02356

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, TROUTMAN, AND DEJOSEPH, JJ.

IN THE MATTER OF PAUL S., JR.

STEBEN COUNTY DEPARTMENT OF SOCIAL SERVICES,
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

INGRID D., RESPONDENT-APPELLANT.
(APPEAL NO. 1.)

CHARU NARANG, BROCKPORT, FOR RESPONDENT-APPELLANT.

DONALD S. THOMSON, BATH, FOR PETITIONER-RESPONDENT.

THOMAS V. CASE, HORNELL, ATTORNEY FOR THE CHILD.

Appeal from an order of the Family Court, Steuben County (Peter C. Bradstreet, J.), entered October 31, 2018 in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, terminated the parental rights of respondent with respect to the subject child.

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

Memorandum: In appeal Nos. 1-4, respondent mother appeals from orders terminating her parental rights with respect to the subject children and freeing them for adoption. The mother refused to appear at the dispositional hearing and her attorney, although present, elected not to participate in the mother's absence. We thus conclude that the mother's refusal to appear constituted a default, and we therefore dismiss the appeals (see *Matter of Makia S. [Catherine S.]*, 134 AD3d 1445, 1445-1446 [4th Dept 2015]; see also *Matter of Heavenly A. [Michael P.]*, 173 AD3d 1621, 1622 [4th Dept 2019]).

Entered: February 11, 2021

Mark W. Bennett
Clerk of the Court