

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

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**CAF 22-00927**

PRESENT: WHALEN, P.J., LINDLEY, OGDEN, NOWAK, AND DELCONTE, JJ.

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IN THE MATTER OF JAYLYNN J.

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STEBEN COUNTY DEPARTMENT OF SOCIAL SERVICES,  
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

JANICE M., AND ROBERT M.M., II,  
RESPONDENTS-APPELLANTS.  
(APPEAL NO. 2.)

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MULLEN ASSOCIATES PLLC, BATH (ALAN P. REED OF COUNSEL), FOR  
RESPONDENT-APPELLANT ROBERT M.M., II.

THOMAS L. PELYCH, HORNELL, FOR RESPONDENT-APPELLANT JANICE M.

MARY HOPE BENEDICT, BATH, ATTORNEY FOR THE CHILD.

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Appeals from an order of the Family Court, Steuben County (Philip J. Roche, J.), entered December 27, 2021, in a proceeding pursuant to Family Court Act article 10. The order, among other things, placed the subject child in the custody of petitioner and issued "a complete stay-away order of protection" on behalf of the subject child against both respondents.

It is hereby ORDERED that the order so appealed from is unanimously modified on the law by vacating the order of protection against respondent Robert M.M., II, and as modified the order is affirmed without costs.

Same memorandum as in *Matter of Jaycob S. (Janice M.)* ([appeal No. 1] - AD3d - [July 3, 2024] [4th Dept 2024]).

Entered: July 3, 2024

Ann Dillon Flynn  
Clerk of the Court