

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

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CAF 23-00040

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

IN THE MATTER OF KIEL A., JR. AND
TRENTYN A.

HERKIMER COUNTY DEPARTMENT OF SOCIAL
SERVICES, PETITIONER-RESPONDENT;

ORDER

KIEL A., SR., RESPONDENT-APPELLANT,
AND CHELSEA F., RESPONDENT.

PETER J. DIGIORGIO, JR., UTICA, FOR RESPONDENT-APPELLANT.

ROBERT J. MALONE, COUNTY ATTORNEY, HERKIMER (MICHELLE K. FASSETT OF
COUNSEL), FOR PETITIONER-RESPONDENT.

SCOTT A. OTIS, WATERTOWN, ATTORNEY FOR THE CHILDREN.

Appeal from an order of the Family Court, Herkimer County
(Thaddeus J. Luke, J.), entered December 21, 2022, in a proceeding
pursuant to Family Court Act article 10. The order, inter alia,
determined that respondent Kiel A., Sr., neglected the subject
children.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on January 24 and February 23,
2024,

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

Entered: July 3, 2024

Ann Dillon Flynn
Clerk of the Court