

State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: January 3, 2008

502091

In the Matter of CONSTANCE
NN., Alleged to be an
Abused Child.

TIOGA COUNTY DEPARTMENT OF
SOCIAL SERVICES,
Respondent;

MEMORANDUM AND ORDER

PETER NN.,
Appellant.

Calendar Date: October 10, 2007

Before: Cardona, P.J., Peters, Spain, Carpinello and
Lahtinen, JJ.

Andrew M. Dunn, Oneida, for appellant.

Christian Root, Tioga County Department of Social Services,
Owego, for respondent.

Peter Fee, Law Guardian, Vestal.

Carpinello, J.

Appeal from an order of the Family Court of Tioga County
(Sgueglia, J.), entered January 2, 2007, which granted
petitioner's application, in a proceeding pursuant to Family Ct
Act article 10, to adjudicate respondent's child to be abused.

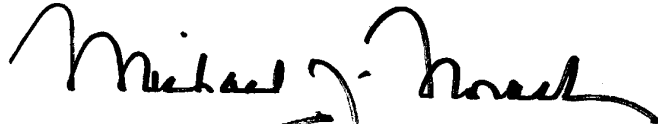
Following a hearing, Family Court determined that
respondent sexually abused his young daughter. On appeal,
respondent advances only one argument, namely, that Family Court

erred in admitting a certain videotape into evidence without a proper foundation and/or authentication. This issue, however, was not properly preserved by an appropriate objection and, thus, has been waived (see CPLR 4017, 5501 [a] [3]; Matter of Henry W., 30 AD3d 695, 696 [2006]; Matter of Antonia QQ., 1 AD3d 841, 842 [2003]; Matter of Karen BB., 216 AD2d 754, 756-757 [1995]; see also Matter of Diamond K., 31 AD3d 553 [2006]; Matter of Baby Girl Q., 14 AD3d 392, 393 [2005], lv denied 5 NY3d 704 [2005]; Matter of Diaz v Santiago, 8 AD3d 562, 563 [2004]). There being no other issue raised, we affirm Family Court's order.

Cardona, P.J., Peters, Spain and Lahtinen, JJ., concur.

ORDERED that the order is affirmed, without costs.

ENTER:

A handwritten signature in black ink, appearing to read "Michael J. Novack". The signature is fluid and cursive, with a large loop at the end.

Michael J. Novack
Clerk of the Court