

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

Decided and Entered: February 21, 2019

526274

In the Matter of STEPHEN RR.,
Alleged to be a Neglected
Child.

SULLIVAN COUNTY DEPARTMENT OF
SOCIAL SERVICES,
Respondent;

MEMORANDUM AND ORDER

CHRISTA TT.,
Appellant.

Calendar Date: January 8, 2019

Before: Lynch, J.P., Mulvey, Devine, Aarons and Pritzker, JJ.

Cliff Gordon, Monticello, for appellant.

Alexandra Bourne, Sullivan County Department of Family
Services, Monticello, for respondent.

Jane Bloom, Monticello, attorney for the child.

Aarons, J.

Appeal from an amended order of the Family Court of
Sullivan County (McGuire, J.), entered February 8, 2018, which,
in a proceeding pursuant to Family Ct Act article 10,
temporarily removed the subject child from respondent's custody.

Respondent is the mother of a son (born in 2018). In
February 2018, petitioner commenced this neglect proceeding

against respondent and sought a temporary removal of the child. Following a hearing, Family Court found that the child was in imminent danger and temporarily removed him from respondent's custody. Respondent appeals.

This Court has been advised that subsequent to the issuance of the February 2018 amended order, an order was entered with respondent's consent in which a third party would have custody of the child and respondent would have supervised visitation. In view of the foregoing, respondent's appeal from the amended order is moot (see Matter of Neveah A. [Shannon D.], 144 AD3d 1431, 1431 [2016]), and we find that the exception to the mootness doctrine does not apply (see generally Matter of Hearst Corp. v Clyne, 50 NY2d 707, 714-715 [1980]).

Lynch, J.P., Mulvey, Devine and Pritzker, JJ., concur.

ORDERED that the appeal is dismissed, as moot, without costs.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger
Clerk of the Court