

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

Decided and Entered: January 5, 2023

532727

In the Matter of DANIEL H. and
Others, Neglected Children.

ST. LAWRENCE COUNTY
DEPARTMENT OF SOCIAL
SERVICES,

Respondent;

MEMORANDUM AND ORDER

NATASHA G.,

Appellant,
et al.,
Respondent.

(And Other Related Proceedings.)

Calendar Date: November 15, 2022

Before: Aarons, J.P., Pritzker, Reynolds Fitzgerald, Ceresia and Fisher, JJ.

Rural Law Center of New York, Inc., Castleton (Kristin A. Blugas of counsel), for
appellant.

Stephen D. Button, County Attorney, Canton (Keith S. Massey Jr. of counsel), for
respondent.

Cheryl L. Maxwell, Plattsburgh, attorney for the children.

Aarons, J.P.

Appeal from an order of the Family Court of St. Lawrence County (Cecily L. Morris, J.), entered December 3, 2020, which, in a proceeding pursuant to Family Ct Act article 10, denied respondent Natasha G.'s motion to modify prior orders.

Respondent Natasha G. (hereinafter respondent) is the mother of six children (born in 2004, 2005, 2011, 2015, 2016 and 2019). In 2019, respondent and the children's father consented to petitioner having temporary custody of the children. As relevant here, visitation was suspended between respondent and one of her children. Respondent thereafter moved for, among other things, the reinstatement of visitation with the subject child. Following a hearing, Family Court, in 2020, denied the motion. Respondent appeals.

The parties have advised this Court that, in February 2022, respondent judicially surrendered her parental rights to all six children. In view of this, respondent's appeal is moot (*see Matter of Alexis SS. [Chezzy SS.]*, 130 AD3d 1266, 1267 [3d Dept 2015]). Because the exception to the mootness doctrine does not apply (*see Matter of Norbert YY.*, 28 AD3d 815, 816 [3d Dept 2006]; *see generally Matter of Hearst Corp. v Clyne*, 50 NY2d 707, 714-715 [1980]), the appeal must be dismissed.

Pritzker, Reynolds Fitzgerald, Ceresia and Fisher, 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