

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Jessica Wrobleksi - Petitioner

VS.

Administration for Children Services, et al.
Respondent(s).

ON PETITION FOR A WRIT OF CERTIORARI TO

New York State Appellate Division First Department,
New York State Court of Appeals

APPENDIX

Jessica Wrobleksi
115 Henry Street #3219
Binghamton, New York 13902
(607) 621-0884

Dated: Thursday July 15th, 2021

TABLE OF CONTENTS

XI. Appendix	
Appendix A Decision of the New York State Court of Appeals.....	1
Appendix B Decision of the New York State Court of Appeals Denial of reargument.....	4
Appendix C Decision of the New York State Intermediate Court Appellate Division First Department Disposition.....	6

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VS.

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ON PETITION FOR A WRIT OF CERTIORARI TO

New York State Appellate Division First Department,
New York State Court of Appeals

APPENDIX A: ON DECISION OF THE
NEW YORK STATE COURT OF APPEALS

Jessica Wrobleksi
115 Henry Street #3219
Binghamton, New York 13902
(607) 621-0884

State of New York

Court of Appeals

***Decided and Entered on the
ninth day of June, 2020***

Present, Hon. Janet DiFiore, *Chief Judge, presiding.*

Mo. No. 2020-63

In the Matter of Baby Boy W., &c.

Jessica W.,
Appellant;
Administration for Children's Services,
Respondent.

Appellant having appealed and moved for leave to appeal to the Court of Appeals and for poor person relief in the above cause;

Upon the papers filed and due deliberation, it is

ORDERED, on the Court's own motion, that the appeal, insofar as against petitioner Administration for Children's Services, is dismissed, without costs, as untimely (see CPLR 5513[a]; Eaton v State of New York, 76 NY2d 824 [1990]); and it is further

ORDERED, that the appeal is otherwise dismissed, without costs, upon the ground that no appeal lies as of right from the unanimous order of the Appellate Division absent the direct involvement of a substantial constitutional question (see CPLR 5601); and it is further

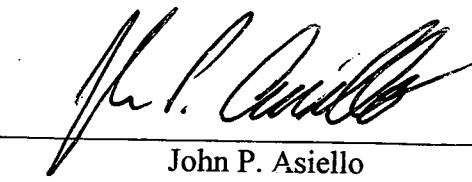
ORDERED, that the motion, insofar as it seeks leave to appeal as against petitioner Administration for Children's Services, is dismissed as untimely (see CPLR 5513[b]; Eaton v State of New York, 76 NY2d 824 [1990]); and it is further

Motion No. 2020-63

June 9, 2020

- 2 -

ORDERED, that the motion for leave to appeal is otherwise denied; and it is further ORDERED, that the motion for poor person relief is dismissed as academic.



John P. Asiello
Clerk of the Court

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Jessica Wrobleksi - Petitioner

VS.

Administration for Children Services, et al.
Respondent(s).

ON PETITION FOR A WRIT OF CERTIORARI TO

New York State Appellate Division First Department,
New York State Court of Appeals

APPENDIX B: ON DECISION OF THE
NEW YORK STATE COURT OF APPEALS
DENIAL OF REARGUMENT

Jessica Wrobleksi
115 Henry Street #3219
Binghamton, New York 13902
(607) 621-0884

State of New York

Court of Appeals

*Decided and Entered on the
twentieth day of October, 2020*

Present, Hon. Janet DiFiore, *Chief Judge, presiding.*

Mo. No. 2020-570
In the Matter of Baby Boy W., &c.

Jessica W.,
Appellant;
Administration for Children's Services,
Respondent.

Appellant having moved for reargument in the above cause;

Upon the papers filed and due deliberation, it is

ORDERED, that the motion is denied.



Heather Davis
Deputy Clerk of the Court

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Jessica Wrobleksi - Petitioner

VS.

Administration for Children Services, et al.
Respondent(s).

ON PETITION FOR A WRIT OF CERTIORARI TO

New York State Appellate Division First Department,
New York State Court of Appeals

APPENDIX C: ON DECISION OF THE
APPELLATE DIVISION FIRST DEPARTMENT

Jessica Wrobleksi
115 Henry Street #3219
Binghamton, New York 13902
(607) 621-0884

Sweeny, J.P., Webber, Gesmer, Singh, JJ.

8740-

8741-

8742

In re Baby Boy W., also known as Muhamed Umar W.,

A Child Under Eighteen Years
of Age, etc.,

Jessica W.,
Respondent-Appellant.

Administration for Children's Services,
Petitioner-Respondent

Tennille M. Tatum-Evans, New York, for appellant

Zachary W. Carter, Corporation Counsel, New York (Jessica Miller of counsel), for respondent

Dawne A. Mitchell, The Legal Aid Society, New York (John A. Newbery of counsel), attorney for the child.

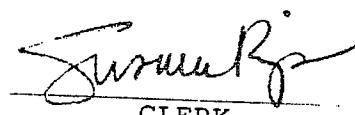
Appeal from order of disposition, Family Court, New York County (Susan K. Knipps, J.), entered on or about September 10, 2015, which, based upon a fact-finding determination that respondent mother neglected the subject child and placed the child with the Commissioner of the Administration for Children's Services until the next permanency hearing and directed the mother to engage in services, unanimously dismissed, without costs, as moot. Order of fact-finding, same court and Judge, entered on or about January 29, 2015, unanimously affirmed, without costs.

The finding of neglect is supported by a preponderance of the evidence (see Family Ct Act §§ 1012[f][i][B]; 1046[b][i]). At the time ACS brought the petition, the child was an infant. Hospital records show that the mother was diagnosed with anxiety, schizophrenia, bipolar disorder, and personality disorder. The record demonstrates that the mother's untreated mental illness, aggressive behavior, depression, poor impulse control, and repeated psychiatric hospitalizations for suicidal ideation placed the child at imminent risk of impairment (see *Matter of Tyzavier M. [Shanice M.]*, 155 AD3d 578 [1st Dept 2017]; *Matter of Cerenithy Ecksthine B. [Christian B.]*, 92 AD3d 417, 417-418 [1st Dept 2012]; *Matter of Madeline R.*, 214 AD2d 445 [1st Dept 1995]).

The mother's appeal from the order of disposition is moot, since the dispositional order has expired by its own terms and was superseded by two subsequent permanency orders (see *Matter of Fawaz A. [Franklyn B.C.]*, 112 AD3d 550, 551 [1st Dept 2013]).

THIS CONSTITUTES THE DECISION AND ORDER
OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT.

ENTERED: MARCH 19, 2019


CLERK