

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
FIRST DEPARTMENT

Matter of E.O. v. O.O.

2026 NY Slip Op 02928 · No. Docket No. O-10573/24; Appeal No. 6590; Case No. 2024-07854 · Decided May 12, 2026

SUMMARY

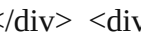
The Appellate Division, First Department unanimously affirmed the dismissal of a family offense petition and the vacatur of a temporary order of protection. The court held that petitioner failed to establish by a fair preponderance of the evidence that respondent committed acts warranting an order of protection and found no basis to disturb the lower court's credibility determinations.

OPINION

PER CURIAM.

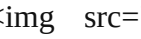
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May 12, 2026

Appellate Division, First Department

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This decision is uncorrected and subject to revision before publication in the Official Reports.

In the Matter of E.O., Appellant,

v

O.O., Respondent.

Decided and Entered: May 12, 2026

Docket No. O-10573/24|Appeal No. 6590|Case No. 2024-07854|

Before: Scarpulla, J.P., Mendez, Shulman, Rodriguez, Hagler, JJ.

Daniel X. Robinson, New York, for appellant.

[*1]

Order, Family Court, Bronx County (Teresa J. Grogan, Referee), entered on or about December 13, 2024, which, following a fact-finding hearing, found petitioner failed to establish respondent committed any family offense, dismissed the petition, and vacated the temporary order of protection, unanimously affirmed, without costs.

Family Court properly dismissed the family offense petition, as petitioner failed to establish by a fair preponderance of the evidence that respondent had committed any acts

warranting an order of protection in petitioner's favor (*see* Matter of Tawanna R. v Michael E.G., 226 AD3d 524, 524 [1st Dept 2024]).

We find no basis to disturb the court's findings that respondent was more credible than petitioner (*see* Matter of Sherida L. v Hoggarth S., 237 AD3d 541, 542 [1st Dept 2025]).

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

ENTERED: May 12, 2026

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PER CURIAM.

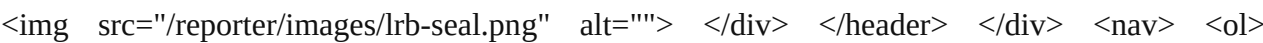
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Appellant, v O.O., Respondent. Decided and Entered: May 12,

2026 Docket No. O-10573/24|Appeal No. 6590|Case No. 2024-07854|Before:

Scarpulla, J.P., Mendez, Shulman, Rodriguez, Hagler, JJ. Daniel X. Robinson,

New York, for appellant. Order, Family Court, Bronx County

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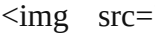


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PER CURIAM.

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