

**SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
SECOND JUDICIAL DEPARTMENT**

Matter of Saini v. Singh

132 A.D.3d 686 (N.Y. App. Div. 2015) · No. 2014-10977 · Decided October 7, 2015

SUMMARY

The Appellate Division, Second Department, affirmed a Family Court order of protection issued against Harvinder Singh. The court held that the family offenses of attempted assault in the third degree, harassment in the second degree, and menacing in the third degree were established by a fair preponderance of the credible evidence, and that the appellant received meaningful representation of counsel.

OPINION

PER CURIAM.

Matter of Saini v Singh (2015 NY Slip Op 07280) Matter of Saini v Singh 2015 NY Slip Op 07280 Decided on October 7, 2015 Appellate Division, Second Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports. Decided on October 7, 2015 SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Second Judicial Department MARK C. DILLON, J.P.

CHERYL E. CHAMBERS L. PRISCILLA HALL SYLVIA O. HINDS-RADIX, JJ. 2014-10977 (Docket No. O-21547-13) [*1]In the Matter of Jaswinder Kaur Saini, respondent, v Harvinder Singh, appellant. The Virdone Law Firm, P.C., Westbury, N.Y. (John Virdone of counsel), for appellant. Richard L. Herzfeld, New York, N.Y., for respondent. DECISION & ORDER Appeal from an order of protection of the Family Court, Queens County (Ronald E. Richter, J.), dated October 17, 2014.

The order of protection, inter alia, directed the appellant to stay away from the petitioner until and including October 16, 2016, based upon findings, after a hearing, that the appellant committed the family offenses of attempted assault in the third degree, harassment in the second degree, and menacing in the third degree. ORDERED that the order of protection is affirmed, without costs or disbursements.

The appellant's guilt of the family offenses of attempted assault in the third degree, harassment in the second degree, and menacing in the third degree was established by a fair preponderance of the credible evidence (see Matter of Monos v Monos, 123 AD3d 931). Further, it appears from the

record that the appellant was afforded "meaningful representation" of counsel (Matter of Alfred C., 237 AD2d 517, 517; see Matter of Melissa K. v Brian K., 72 AD3d 1129, 1133).

The appellant's remaining contentions are without merit. Accordingly, the Family Court properly issued an order of protection against the appellant. DILLON, J.P., CHAMBERS, HALL and HINDS-RADIX, JJ., concur. ENTER: Aprilanne Agostino Clerk of the Court