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This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 120 SSM 7
In the Matter of Lavountae A.,
Yacier A., and Sabraejuna M.

Monroe County Department of Human
Services,
Respondent,
Laticia A.,
Appellant.

Submitted by David M. Abbatoy, Jr., for appellant.
Submitted by Paul N. Humphrey, for respondent.
Submitted by Susan B. Marris, law guardian.

MEMORANDUM:

The order of the Appellate Division should be affirmed,
without costs.

Family Court entered a determination of neglect based,
in part, on a finding that respondent mother had a drug problem
that necessitated treatment and that placed her children in

imminent risk of harm. The court further observed that she had failed to follow-through with two drug treatment programs despite her previous acknowledgment of a drug problem and her repeated promises to comply with treatment directives. Since the Appellate Division affirmed the neglect determination, we may disturb it only if it is not supported by sufficient proof in the record. Because we cannot say that there is no valid line of reasoning that could lead a rational fact-finder to the decision reached in this case, we affirm.

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On review of submissions pursuant to section 500.11 of the Rules, order affirmed, without costs, in a memorandum. Chief Judge Lippman and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided May 7, 2009