



observations of the bruise, the photographs depicting the bruise, and the mother's own testimony that she would "flick" the children in the mouth when they cursed (*see Matter of Naomi J. [Damon R.]*, 84 AD3d 594, 594 [1st Dept 2011]; *Matter of Jazmyn R. [Luceita F.]*, 67 AD3d 495, 495 [1st Dept 2009]; *see Matter of Isaiah D.S. [Jamal K.S.]*, 237 AD3d 627, 627 [1st Dept 2025]). Given the conflicting explanations as to how the child's bruise occurred, Family Court's decision crediting the caseworker's testimony over that of the parents is entitled to deference (*see Matter of L.H.R. [Y.L. – Q.L.R.]*, 222 AD3d 414, 415 [1st Dept 2023]).

As to the finding that the parents failed to provide the children with adequate food, clothing, or shelter, Family Court properly credited the caseworker's testimony and other evidence showing that the children exhibited poor hygiene (*see In re Nivek A.S. [Juanita S.]*, 148 AD3d 459, 459 [1st Dept 2017]). Similarly, the court properly credited the evidence that the home was in deplorable condition (*see Matter of Qualiayah J. [Taneka J.]*, 149 AD3d 495, 496 [1st Dept 2017], *lv denied* 29 NY3d 913 [2017]). Neither parent has offered a basis for disturbing the Family Court's credibility determinations (*see Matter of J.S. [M. Christian C.]*, 242 AD3d 680, 681 [1st Dept 2025]).

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

ENTERED: March 10, 2026



Susanna Molina Rojas  
Clerk of the Court