

**Supreme Court of the State of New York**  
**Appellate Division, First Judicial Department**

Webber, J.P., Shulman, Higgitt, Rosado, Hagler, JJ.

5984

In the Matter of L.S.,

Dkt. No. D-1215/23

Case No. 2025-01026

A Person Alleged to be a Juvenile  
Delinquent,  
Appellant.

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PRESENTMENT AGENCY

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Dawne A. Mitchell, The Legal Aid Society, New York (Hannah Kaplan of counsel), for appellant.

Muriel Goode-Trufant, Corporation Counsel, New York (Chloé K. Moon of counsel), for Presentment Agency.

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Order, Family Court, New York County (Jonathan H. Shim, J.), entered on or about January 21, 2025, which denied appellant's motion to vacate her prior adjudication as a juvenile delinquent and to seal and expunge the records of that adjudication, unanimously affirmed, without costs.

Family Court providently exercised its discretion in denying the motion, determining that appellant failed to establish a substantial change of circumstances sufficient to warrant vacatur of her juvenile delinquency adjudication under Family Court Act § 355.1(1)(b). In support of her motion, appellant's only submission was a one-paragraph letter stating that she and her family had completed family therapy. This submission alone, however, did not constitute a sufficient basis to vacate the adjudication on the basis of a substantial change of circumstances (*see Matter of*

*Dazaeth S.-M.*, 204 AD3d 552, 553 [1st Dept 2022]). In any event, even had appellant submitted further documentation supporting her motion, there would have been a sufficient basis to deny the motion because, as the court aptly observed, appellant's attack on the victim was "particularly violent" and justice would not be served by vacating the adjudication.

Family Court also providently declined to expunge appellant's records held by the police agency, probation services, and the presentment agency. Although Family Court has the "inherent power to order the expungement of court records" (Family Ct Act § 375.3), that power applies to its own records; it "does not extend to the records of executive agencies not normally subject to its direction, particularly those of the police" (*Matter of Dorothy D.*, 49 NY2d 212, 215 [1980]; see also *Matter of Eric C. v New York State Police*, 72 AD3d 1535, 1535 [4th Dept 2010]).

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

ENTERED: March 3, 2026



Susanna Molina Rojas  
Clerk of the Court