

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

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_____AD3d_____

Submitted - September 17, 2007

ROBERT A. SPOLZINO, J.P.
GABRIEL M. KRAUSMAN
STEVEN W. FISHER
DANIEL D. ANGIOLILLO, JJ.

2006-06799

DECISION & ORDER

In the Matter of Sean Wilson, appellant,
v Caroline Kilkenny, et al., respondents.

(Index No. 8386/05)

Denkovich & Burshteyn, P.C., Plainview, N.Y. (Michael R. Denkovich of counsel),
for appellant.

Wilkie & Graff, LLC, Kingston, N.Y. (Heather K. Sheehan of counsel), for
respondents.

In a proceeding pursuant to Civil Rights Law article 6 for leave to change an infant's
surname, the petitioner appeals, as limited by his brief, from so much of an order of the Supreme
Court, Kings County (Schack, J.), dated May 15, 2006, as denied the petition.

ORDERED that the order is affirmed insofar as appealed from, with costs.

The Supreme Court correctly concluded that the petitioner, the father of a child born
out of wedlock, failed to establish that his child's interest will be substantially promoted by changing
the child's surname to his and that there is no reasonable objection to the proposed name change (*see*
Matter of David Robert T., 10 AD3d 453; *Matter of Cinquemani v Guarino*, 290 AD2d 554; *Matter*
of Mercado v Townsend, 225 AD2d 555; *Matter of Shawn Scott C.*, 134 AD2d 345).

SPOLZINO, J.P., KRAUSMAN, FISHER and ANGIOLILLO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 2, 2007

MATTER OF WILSON v KILKENNY