

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

D16437  
Y/kmg

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Submitted - September 10, 2007

STEPHEN G. CRANE, J.P.  
ROBERT A. LIFSON  
EDWARD D. CARNI  
RUTH C. BALKIN, JJ.

2006-10642

DECISION & ORDER

Craig Hinck, respondent, v Kerry Hinck, appellant.

(Index No. 7516/06)

Seth Muraskin, Huntington, N.Y., for appellant.

Clifford J. Petroske, Bohemia, N.Y., for respondent.

In an action for a divorce and ancillary relief, the defendant appeals from an order of the Supreme Court, Suffolk County (Farneti, J.), dated October 23, 2006, which denied her motion, in effect, for summary judgment setting aside the parties' postnuptial agreement.

ORDERED that the order is affirmed, with costs.

Under the circumstances of this case, the Supreme Court correctly denied the defendant's motion, in effect, for summary judgment.

CRANE, J.P., LIFSON, CARNI and BALKIN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 2, 2007

HINCK v HINCK