

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

D18424
C/kmg

_____AD3d_____

Argued - January 28, 2008

ROBERT A. SPOLZINO, J.P.
FRED T. SANTUCCI
DANIEL D. ANGIOLILLO
RUTH C. BALKIN, JJ.

2007-03969

DECISION & ORDER

In the Matter of Norma Noemy Baksh, appellant,
v Mojamid Amin Baksh, respondent.

(Docket No. O-05980-07)

Yisroel Schulman, Christina Brandt-Young, and Kim Susser, New York, N.Y. and O'Melveny & Myers LLP (William J. Sushon, Edward D. Hassi, and Justin S. Siegel of counsel), for appellant (one brief filed).

In a family offense proceeding pursuant to Family Court Act article 8, the petitioner appeals from an order of the Family Court, Queens County (McGowan, J.), dated April 11, 2007, which denied the petition and dismissed the proceeding.

ORDERED that the order is affirmed, without costs or disbursements.

The allegations set forth in the petition failed to state a cause of action constituting a family offense pursuant to Family Court Act § 812(1) (*see Matter of Eck v Eck*, 44 AD3d 1168, 1169; *Matter of Santiago v Friedman*, 35 AD3d 482; *Matter of Thomas v Thomas*, 32 AD3d 521; *Matter of Ford v Pitts*, 30 AD3d 419, 420; *Swersky v Swersky*, 299 AD2d 540).

The appellant's remaining contention is unpreserved for appellate review (*see Matter of Anthony R.*, 43 AD3d 939; *Matter of Rahmel S.*, 4 AD3d 365, 366).

SPOLZINO, J.P., SANTUCCI, ANGIOLILLO and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 18, 2008

MATTER OF BAKSH v BAKSH