

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

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Submitted - November 17, 2008

STEVEN W. FISHER, J.P.
DANIEL D. ANGIOLILLO
THOMAS A. DICKERSON
ARIEL E. BELEN, JJ.

2008-04557

DECISION & ORDER

In the Matter of Lillian Vuksanovic, appellant,
v Petar Vuksanovic, respondent.

(Docket No. O-6019-07)

David M. Rosoff, White Plains, N.Y., for appellant.

Green & Willstatter, White Plains, N.Y. (Theodore S. Green and Peter Wessel,
PLLC, of counsel), for respondent.

In a family offense proceeding pursuant to Family Court Act article 8, Petar Vuksanovic appeals from an order of the Family Court, Westchester County (Klein, J.), entered April 25, 2008, which denied that branch of his motion which was to vacate an order of protection entered April 25, 2008, upon his consent, directing him, inter alia, to stay away from Lillian Vuksanovic.

ORDERED that the order is affirmed, with costs.

Lillian Vuksanovic commenced this family offense proceeding against her father, Petar. Without admitting the allegations of the petition, the father consented to the entry of a one-year order of protection directing him, inter alia, to stay away from his daughter.

There is clear support in the record for the Family Court's determination that the father, who had retained the services of his own Serbo-Croatian interpreter, but who communicated clearly and appropriately with the court in English without resort to interpretation, fully

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comprehended the nature and substance of the family offense proceeding. The record established that the father knowingly, intelligently, and voluntarily consented to the entry of a one-year order of protection.

The father's remaining contentions are without merit.

FISHER, J.P., ANGIOLILLO, DICKERSON and BELEN, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, looping initial "J".

James Edward Pelzer
Clerk of the Court