

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

D23380

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_____AD3d_____

Submitted - April 14, 2009

WILLIAM F. MASTRO, J.P.
HOWARD MILLER
CHERYL E. CHAMBERS
LEONARD B. AUSTIN, JJ.

2008-03399

DECISION & ORDER

In the Matter of Joel Primus, appellant, v Adrienne
Mason-Primus, respondent.

(Docket No. F-824-90)

Joel Primus, Flushing, N.Y., appellant pro se.

In a child support proceeding pursuant to Family Court Act article 4, the father appeals from an order of the Family Court, Queens County (Hunt, J.), dated March 6, 2008, which denied his objections to an order of the same court (Kirshblum, S.M.), dated August 14, 2007, denying, in part, his petition to cancel child support arrears that accrued prior to the filing of the petition.

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

By order dated September 16, 1992, the Family Court, Queens County (Marchetti, H.E.), set the father's child support arrears at \$20,067. The father contends that the Support Magistrate erred in denying, in part, his petition to cancel his child support arrears. However, the father's contentions are either not properly before this Court, unpreserved for appellate review (*see Matter of Martinez v Torres*, 26 AD3d 496, 497; *Matter of Coleman v Thomas*, 295 AD2d 508, 509; *Matter of Stone v Stone*, 236 AD2d 615), or without merit.

MASTRO, J.P., MILLER, CHAMBERS and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 2, 2009

MATTER OF PRIMUS v MASON-PRIMUS