

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

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Submitted - December 8, 2009

MARK C. DILLON, J.P.  
ANITA R. FLORIO  
L. PRISCILLA HALL  
SANDRA L. SGROI, JJ.

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2009-02389

DECISION & ORDER

In the Matter of Diana Ricketts, appellant, v Bernie  
Graves, respondent

(Docket No. F-05944-98/08E)

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Diana Ricketts, Brooklyn, N.Y., appellant pro se.

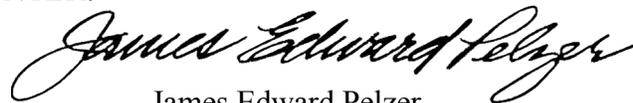
In a child support proceeding pursuant to Family Court Act article 4, the mother appeals from an order of the Family Court, Kings County (Beckoff, J.), dated January 23, 2009, which denied her objections to an order of the same court (Baur, S.M.), dated September 5, 2008, which, after a hearing, dismissed, without prejudice, her petition for an upward modification of the father's child support obligation as set forth in a support order dated June 23, 2006.

ORDERED that the order dated January 23, 2009, is affirmed, without costs or disbursements.

The Family Court providently exercised its discretion in denying the mother's objections to the order of the Support Magistrate dismissing, without prejudice, her petition for an upward modification of the father's child support obligation (*see Matter of Gonzalez v DeFilippis*, 31 AD3d 447, 448; *see also Matter of Williams v Williams*, 37 AD3d 843, 844; *Matter of Lahrs v Lahrs*, 158 AD2d 944, 944).

DILLON, J.P., FLORIO, HALL and SGROI, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

January 12, 2010

MATTER OF RICKETTS v GRAVES