

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

D26728
G/nl

_____AD3d_____

Argued - February 23, 2010

WILLIAM F. MASTRO, J.P.
RANDALL T. ENG
ARIEL E. BELEN
SHERI S. ROMAN, JJ.

2008-10413

DECISION & ORDER

Teresa Vogelgesang, respondent, v Arthur
Vogelgesang, appellant.

(Index No. 750/05)

Larry S. Bachner, Jamaica, N.Y., for appellant.

Kaufman & Serota, Rockville Centre, N.Y. (Lila N. Serota and Stuart Serota of
counsel), for respondent.

In a matrimonial action in which the parties were divorced by judgment entered
October 18, 2006, the defendant appeals from an order of the Supreme Court, Queens County
(Flaherty, J.), entered September 25, 2008, which denied his motion, in effect, to vacate the judgment
of divorce for failure to comply with 22 NYCRR 202.48.

ORDERED that the order is affirmed, with costs.

Under the circumstances, the defendant failed to establish that the judgment of divorce
was entered in violation of 22 NYCRR 202.48.

MASTRO, J.P., ENG, BELEN and ROMAN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 30, 2010

VOGELGESANG v VOGELGESANG