

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

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_____AD3d_____

Submitted - October 8, 2010

WILLIAM F. MASTRO, J.P.
JOHN M. LEVENTHAL
L. PRISCILLA HALL
PLUMMER E. LOTT, JJ.

2009-10725

DECISION & ORDER

In the Matter of Cristofer Spooner Boyke, appellant,
v Analeah Charles, respondent.
(Proceeding No. 1)

In the Matter of Analeah Charles, respondent, v
Cristofer Spooner Boyke, appellant.
(Proceeding No. 2)

(Docket Nos. V-7707-07, V-10241-07)

Dawn M. Shammas, Harrison, N.Y., for appellant.

Robin Stone Einbinder, Jamaica, N.Y., for respondent.

Stewart Altman, Mineola, N.Y., attorney for the child.

In related custody proceedings pursuant to Family Court Act article 6, the father appeals from an order of the Family Court, Queens County (O'Connor, J.), dated October 8, 2009, which, after a hearing, awarded sole custody of the subject child to the mother.

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

Contrary to the father's contentions, the Family Court's determination that the best interests of the child would be served by an award of sole custody to the mother was supported by a sound and substantial basis in the record and should not be disturbed (*see Eschbach v Eschbach*, 56 NY2d 167; *Matter of Garcia v Becerra*, 68 AD3d 864).

October 26, 2010

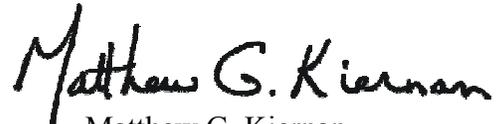
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MATTER OF CHARLES v BOYKE

The father's remaining contentions are without merit.

MASTRO, J.P., LEVENTHAL, HALL and LOTT, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court