

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

D32913  
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Submitted - October 21, 2011

WILLIAM F. MASTRO, J.P.  
MARK C. DILLON  
SANDRA L. SGROI  
ROBERT J. MILLER, JJ.

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2010-10929

DECISION & ORDER

In the Matter of Maureen Roberts, respondent,  
v Stephen Gray, appellant.

(Docket No. F-724-01)

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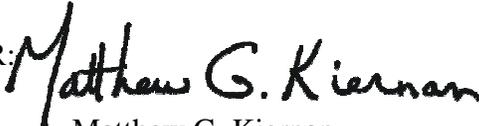
Stephen Gray, Bronx, N.Y., appellant pro se.

In a child support proceeding pursuant to Family Court Act article 4, the father appeals from an order of the Family Court, Kings County (Turbow, J.), dated October 7, 2010, which denied his objections to an order of the same court (Baur, S.M.), dated April 6, 2010, which, after a hearing, inter alia, denied his petition for a downward modification of his child support obligation.

ORDERED that the order dated October 7, 2010, is affirmed, without costs or disbursements.

Family Court Act § 439(e) provides that an aggrieved party may submit specific written objections to the final order of a support magistrate within 35 days after the mailing of the order to such party. Since the father did not timely submit written objections to a prior final order of the Support Magistrate which formed the basis for the order appealed from, the Family Court properly denied his objections on this ground (*see Matter of Pedone v Corpes*, 24 AD3d 559, 559-560; *Matter of Mayeri v Mayeri*, 279 AD2d 473).

MASTRO, J.P., DILLON, SGROI and MILLER, JJ., concur.

ENTER:   
Matthew G. Kiernan  
Clerk of the Court

November 15, 2011

MATTER OF ROBERTS v GRAY