

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

D33744  
G/kmb

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Submitted - January 9, 2012

REINALDO E. RIVERA, J.P.  
RANDALL T. ENG  
PLUMMER E. LOTT  
SANDRA L. SGROI, JJ.

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2011-04264

DECISION & ORDER

In the Matter of Lilian Jaco, respondent,  
v Juan L. Sanders, appellant.

(Docket No. F-9457-10)

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Juan L. Sanders, Woodhaven, 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 (Lubow, J.), dated March 23, 2011, which denied his objection to so much of an order of the same court (Blaustein, S.M.), dated December 21, 2010, as, after a hearing, directed him to pay child support in the sum of \$68 per week.

ORDERED that the order dated March 23, 2011, is affirmed, without costs or disbursements.

Since the father presented insufficient evidence to establish his income, the Support Magistrate correctly awarded child support based on the needs of the child (*see* Family Ct Act § 413[1][k]; *Matter of Tsarova v Tsarov*, 59 AD3d 632, 633; *Evans v Evans*, 57 AD3d 718, 718; *Matter of Mohammed v Aziz*, 43 AD3d 1169; *Amsellem v Amsellem*, 15 AD3d 510, 511).

RIVERA, J.P., ENG, LOTT and SGROI, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

January 24, 2012

MATTER OF JACO v SANDERS