

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

D33949
N/kmb

_____AD3d_____

Submitted - January 23, 2012

PETER B. SKELOS, J.P.
JOHN M. LEVENTHAL
PLUMMER E. LOTT
ROBERT J. MILLER, JJ.

2011-05589

DECISION & ORDER

In the Matter of Victoria Butti, respondent,
v Thomas A. Butti, appellant.

(Docket No. F-945-10/10A,B)

Thomas A. Butti, Brooklyn, 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, Rockland County (Edwards, J.), dated May 4, 2011, which denied his objections to an order of the same court (Miklitsch, S.M.), dated November 14, 2010, which, after a hearing, inter alia, directed him to pay a certain sum for college expenses for the subject child.

ORDERED that the appeal is dismissed, without costs or disbursements.

An appellant is obligated “to assemble a proper record on appeal, which must include any relevant transcripts of proceedings” before the hearing court or trial court (*Kruseck v Ross*, 82 AD3d 939, 940; *see CPLR 5525; Gorelik v Gorelik*, 85 AD3d 859, 860-861; *Kociubinski v Kociubinski*, 83 AD3d 1006, 1007; *Schwartz v Schwartz*, 73 AD3d 1156). Here, the appellant’s failure to provide this Court with the transcript of the Family Court hearing renders the record on appeal inadequate to enable this Court to reach an informed determination on the merits. Accordingly, the appeal must be dismissed (*see Gorelik v Gorelik*, 85 AD3d at 861; *Kociubinski v Kociubinski*, 83 AD3d at 1007; *Schwartz v Schwartz*, 73 AD3d at 1157).

SKELOS, J.P., LEVENTHAL, LOTT and MILLER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 14, 2012

MATTER OF BUTTI v BUTTI