

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

D35681  
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Submitted - June 15, 2012

PETER B. SKELOS, J.P.  
RUTH C. BALKIN  
PLUMMER E. LOTT  
ROBERT J. MILLER, JJ.

2011-09711

DECISION & ORDER

In the Matter of Barbara Liberatore, appellant,  
v Louis Liberatore, respondent.

(Docket Nos. F-315-07, F-315-07/07A)

Barbara Liberatore, Monroe, N.Y., appellant pro se.

Louis Liberatore, Ellenville, N.Y., respondent pro se.

In a proceeding, inter alia, for a downward modification of child support, the petitioner appeals from an order of the Family Court, Orange County (Klein, J.), entered September 15, 2011, which denied her objections.

ORDERED that the order is affirmed, with costs.

Since, at the time the mother filed her objections, there was no “final order” of a Support Magistrate determining the mother’s petition for a downward modification of child support, her objections were premature (Family Ct Act § 439[e]). To the extent that the mother challenges earlier child support orders, her objections were untimely (*see Matter of Hodges v Hodges*, 40 AD3d 639).

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

ENTER:



Aprilanne Agostino  
Clerk of the Court

July 25, 2012

MATTER OF LIBERATORE v LIBERATORE