

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

D36846

N/hu

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - November 29, 2012

RANDALL T. ENG, P.J.  
DANIEL D. ANGIOLILLO  
SANDRA L. SGROI  
SYLVIA HINDS-RADIX, JJ.

2011-10480

DECISION & ORDER

In the Matter of Jill M. Papenhausen, respondent, v  
Michael Sudbrink, appellant.

(Docket No. F-9346-03/11F)

Michael Sudbrink, Hicksville, 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, Suffolk County (Hoffmann, J.), dated October 4, 2011, which denied his objections to an order of the same court (Joseph-Cherry, S.M.) dated July 18, 2011, which, after a hearing, granted the mother's petition for an upward modification of his child support obligation.

ORDERED that the order dated October 4, 2011, is affirmed, without costs or disbursements.

The substantial increase in the father's income, plus the mother's evidence of specific increased expenses, warranted an upward modification of the father's child support obligation (*see Matter of Ryan v Levine*, 80 AD3d 767). The Support Magistrate properly calculated the father's child support obligation, using the income reported on his most recent tax return (*see Domestic Relations Law* § 240[1-b][b][5]; *Hughes v Hughes*, 79 AD3d 473, 475; *Matter of Kruenkamp v Kruenkamp*, 54 AD3d 345, 346). The father's remaining contentions are without merit.

December 19, 2012

Page 1.

MATTER OF PAPENHAUSEN v SUDBRINK

Accordingly, the Family Court properly denied the father's objections to the Support Magistrate's order.

ENG, P.J., ANGIOLILLO, SGROI and HINDS-RADIX, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court