

**SUPREME COURT OF THE STATE OF NEW YORK**  
***Appellate Division, Fourth Judicial Department***

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**CAF 09-02495**

PRESENT: CENTRA, J.P., CARNI, LINDLEY, GREEN, AND GORSKI, JJ.

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IN THE MATTER OF ELIZABETH A. ZOSH,  
PETITIONER-RESPONDENT,

V

ORDER

THOMAS SMITH, RESPONDENT-APPELLANT.

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LOVALLO & WILLIAMS, BUFFALO (TIMOTHY R. LOVALLO OF COUNSEL), FOR  
RESPONDENT-APPELLANT.

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Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered November 18, 2009 in a proceeding pursuant to Family Court Act article 4. The order confirmed the Support Magistrate's determination that respondent willfully failed to obey an order of the court and sentenced respondent to 180 days in jail.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: February 10, 2011

Patricia L. Morgan  
Clerk of the Court