

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

446

**CAF 14-00975**

PRESENT: SCUDDER, P.J., CENTRA, PERADOTTO, VALENTINO, AND WHALEN, JJ.

---

IN THE MATTER OF DARIO R. PEREZ,  
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

KARIN C. JOHNSON, RESPONDENT-RESPONDENT.

---

DARIO R. PEREZ, PETITIONER-APPELLANT PRO SE.

WELCH & ZINK, CORNING (COLLEEN G. ZINK OF COUNSEL), FOR  
RESPONDENT-RESPONDENT.

---

Appeal from an order of the Family Court, Steuben County (Marianne Furfure, A.J.), entered October 15, 2013 in a proceeding pursuant to Family Court Act article 4. The order denied petitioner's objection to the order of the Support Magistrate.

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

Memorandum: In this proceeding pursuant to Family Court Act article 4, petitioner father appeals from an order denying his objection to the order of the Support Magistrate that denied his petition for a downward modification of his child support obligation. We affirm. The Support Magistrate's findings are entitled to great deference (*see Matter of Fragola v Alfaro*, 45 AD3d 684, 685), and we conclude that the record supports the determination that the father "failed to demonstrate a substantial change in circumstances that would justify a downward modification of his support obligation because he [did not present sufficient] 'evidence establishing that he diligently sought re-employment commensurate with his former employment' " (*Matter of Greene v Hanson*, 100 AD3d 1558, 1558; *see Matter of Leonardo v Leonardo*, 94 AD3d 1452, 1453, *lv denied* 19 NY3d 807). We have considered the father's remaining contentions and conclude that they are without merit.

Entered: May 8, 2015

Frances E. Cafarell  
Clerk of the Court