

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

1706

CA 08-00165

PRESENT: SCUDDER, P.J., SMITH, CENTRA, AND FAHEY, JJ.

LEON R. KOZIOL, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

KELLY HAWSE KOZIOL, DEFENDANT-RESPONDENT.
(APPEAL NO. 4.)

LEON R. KOZIOL, UTICA, PLAINTIFF-APPELLANT PRO SE.

SUGARMAN LAW FIRM, LLP, SYRACUSE (REBECCA A. CRANCE OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Oneida County (John W. Grow, J.), entered December 6, 2007 in a divorce action. The order, insofar as appealed from, denied the cross motion of plaintiff for custody and/or parenting time.

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

Same Memorandum as in *Koziol v Koziol* ([appeal No. 1] ___ AD3d ___ [Mar. 20, 2009]).

Entered: March 20, 2009

JoAnn M. Wahl
Clerk of the Court