

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

1370

**CA 08-01573**

PRESENT: SCUDDER, P.J., HURLBUTT, MARTOCHE, CENTRA, AND PERADOTTO, JJ.

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IN THE MATTER OF THE ESTATE OF ALDONA K.  
MARRIOTT, DECEASED.

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GAIL MARRIOTT, PETITIONER-RESPONDENT;

ORDER

ROBERT W. MARRIOTT, OBJECTANT-APPELLANT;

KATHERINE P. HAWKRIDGE, ESQ., GUARDIAN AD  
LITEM FOR KEVIN MARRIOTT, A MINOR, RESPONDENT.

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PETER M. HOBAICA, LLC, UTICA (GEORGE E. CURTIS OF COUNSEL), FOR  
OBJECTANT-APPELLANT.

MCMAHON AND GROW, ROME (DAVID C. GROW OF COUNSEL), FOR  
PETITIONER-RESPONDENT.

KATHERINE P. HAWKRIDGE, UTICA, FOR RESPONDENT.

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Appeal from an order of the Surrogate's Court, Oneida County  
(David A. Murad, S.), entered June 18, 2008. The order, among other  
things, granted petitioner's motion for summary judgment dismissing  
the objections to the probate of the will.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs for reasons stated in the decision  
by the Surrogate.

Entered: November 13, 2009

Patricia L. Morgan  
Clerk of the Court