

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

**1419.1**

**CA 11-02012**

PRESENT: SCUDDER, P.J., CENTRA, CARNI, AND VALENTINO, JJ.

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DANA JUHASZ, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

STEPHEN JUHASZ, DEFENDANT-RESPONDENT.

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J. ADAMS & ASSOCIATES, PLLC, WILLIAMSVILLE (JOAN CASILIO ADAMS OF COUNSEL), FOR PLAINTIFF-APPELLANT.

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (SHARI JO REICH OF COUNSEL), FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered August 12, 2011. The order, among other things, denied that part of the motion of plaintiff seeking a money judgment.

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

Memorandum: We conclude that Supreme Court properly denied that part of plaintiff's motion seeking the difference between pendente lite support paid during the pendency of the divorce action and the amounts of maintenance and child support that were ultimately awarded. Plaintiff's contentions concerning retroactive support "were previously raised and decided against [her] or could have been raised on a prior appeal in this matter . . . 'Therefore, reconsideration of these [contentions] is barred by the doctrine of law of the case' " (*Matter of Suzuki-Peters v Peters*, 37 AD3d 726, lv denied 9 NY3d 814, quoting *Palumbo v Palumbo*, 10 AD3d 680, 682, lv dismissed 3 NY3d 765).

Entered: December 21, 2012

Frances E. Cafarell  
Clerk of the Court