

Matter of Deborah A. K. v Richard K.

Motion No: 2737

Slip Opinion No: 2020 NYSlipOp 72516(U)

Decided on October 01, 2020

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the
Official Reports.

Supreme Court of the State of New York
Appellate Division, First Judicial Department

Present – Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

In the Matter of a Proceeding for Support
Under Article 4 of the Family Court Act,

Deborah A. K.,
Petitioner-Respondent,

-against-

Richard K.,
Respondent-Appellant.

Confidential

Motion No. **2737**
Case No. 2020-03551
Docket Nos. F-44792-14/15C
 F-44792-14/16D
 F-44792-14/117H

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken to this Court from two orders of the Family Court, New York County, entered on or about March 06, 2020 and on or about August 2, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Ewald S. deFreitas, Esq., dated May 19, 2020, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and Section 1120 of the Family Court Act, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8th Floor, New York, NY 10016, Telephone No. (212) 818-9019, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk**; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court; and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of

¹ Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court. The Clerk of the Family Court shall transfer the record upon receipt of this order.**

ENTERED: October 01, 2020

A handwritten signature in black ink, appearing to read "Susanna Molina Rojas". The signature is written in a cursive, flowing style.

Susanna Molina Rojas
Clerk of the Court