

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D56889
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_____AD3d_____

Submitted - September 11, 2018

MARK C. DILLON, J.P.
SHERI S. ROMAN
ROBERT J. MILLER
COLLEEN D. DUFFY, JJ.

2017-04984

DECISION & ORDER

In the Matter of Reburtha Leacock, respondent,
v Isa Muhammad, appellant.

(Docket No. F-19146-10/14E)

Heslop & Kalba, LLP, Brooklyn, NY (Garfield A. Heslop of counsel; Constanza Prieto on the brief), for appellant.

In a proceeding pursuant to Family Court Act article 4, the father appeals from an order of the Family Court, Kings County (Alan Beckoff, J.), dated April 5, 2017. The order denied, as untimely, the father's objections to an amended order of the same court (John M. Fasone, S.M.) dated September 13, 2016, which, after a hearing, granted the mother's petition for an upward modification of the father's child support obligation.

ORDERED that the appeal is dismissed, without costs or disbursements.

An appellant is obligated to assemble a proper record on appeal, which must include any relevant transcripts of proceedings before the hearing court or trial court (*see* CPLR 5525; *Matter of Butti v Butti*, 92 AD3d 781, 781; *Matter of Howard v Springer*, 41 AD3d 848, 848). Here, the appellant's failure to provide this Court with the transcripts of the Family Court hearing renders the record on appeal inadequate to enable this Court to reach an informed determination on the merits. Accordingly, the appeal must be dismissed (*see Matter of Butti v Butti*, 92 AD3d at 781; *Matter of Howard v Springer*, 41 AD3d at 848).

DILLON, J.P., ROMAN, MILLER and DUFFY, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

October 17, 2018

MATTER OF LEACOCK v MUHAMMAD