

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

M246391
E/afa

RUTH C. BALKIN, J.P.
LEONARD B. AUSTIN
SANDRA L. SGROI
VALERIE BRATHWAITE NELSON, JJ.

2017-10894

DECISION & ORDER ON MOTION

Gabriel Raymond Falco, appellant,
v Laura Ann Bowery Falco, respondent.

(Index No. 21122/13)

Motion by the appellant pro se, in effect, to reduce his child support obligation on an appeal from an order of the Supreme Court, Suffolk County, dated August 30, 2017, for poor person relief, and for the assignment of counsel. Separate motion by the appellant pro se for poor person relief, and for the assignment of counsel.

Upon the papers filed in support of the motions and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is to reduce the appellant's child support obligation is denied; and it is further,

ORDERED that the branches of the motions which are for poor person relief and for the assignment of counsel are granted; and it is further,

ORDERED that the appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the appellant, the respondent, and the attorney for the child, if any. The parties are directed to file nine copies of their respective briefs and to serve one copy on each other (22 NYCRR 670.9[d][1][ii]); and it is further,

ORDERED that the stenographer(s) and/or the transcription service(s) is/are required promptly to make and certify two transcripts of the proceedings, if any, except for those minutes previously transcribed and certified (22 NYCRR 671.9); in the case of stenographers, both transcripts shall be filed with the clerk of the Supreme Court, and the clerk of the Supreme Court shall furnish one of such certified transcripts to the appellant's counsel, without charge; in the case

of transcription services, one transcript shall be filed with the clerk of the Supreme Court and one transcript shall be delivered to the assigned counsel. Assigned counsel is directed to provide copies of said transcripts to all of the other parties to the appeal, including the attorney for the child, if any, when counsel serves the appellant's brief upon those parties; and it is further,

ORDERED that pursuant to Judiciary Law § 35, the following named attorney is assigned as counsel to prosecute the appeal:

Salvatore C. Adamo, Esq.
350 Fifth Avenue, 59th Floor
New York, NY 101198
212-964-7983

and it is further,

ORDERED that the assigned counsel shall prosecute the appeal expeditiously in accordance with any scheduling order or orders issued pursuant to 670.4(a) of the rules of this Court (22 NYCRR 670.4[a]); and it is further,

ORDERED that assigned counsel is directed to serve a copy of this decision and order on motion upon the clerk of the court from which the appeal is taken.

BALKIN, J.P., AUSTIN, SGROI and BRATHWAITE NELSON, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court