

Matter of Dexter N. v Mercedes H.

Motion No: 2024-00066

Slip Opinion No: 2024 NY Slip Op 61442(U)

Decided on January 30, 2024

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. Cynthia S. Kern,
Lizbeth González
Martin Shulman
John R. Higgitt
Llinét M. Rosado,

Justice Presiding,

Justices.

In the Matter of a Proceeding for Custody
and/or Visitation Pursuant to Article 6 of
the Family Court Act.

Dexter N.,
Respondent-Petitioner-
Appellant,

-against-

Mercedes H.,
Petitioner-Respondent-
Respondent.

Confidential

Motion No. 2024-00066
Case No. 2023-06777
Docket Nos. V-29448/15/18G
V-29448-15/19I
V-32227-15/18G
V-32227-15/19H

Respondent-petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal taken to this Court from an order of the Family Court, Bronx County, entered on or about December 01, 2023, 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 due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew, upon respondent-petitioner-appellant's submission of a notarized affidavit, pursuant to CPLR 1101 and 22 NYCRR 1250.4(d)(1) and (4), setting forth facts sufficient to establish that he has no funds or assets with which to prosecute the appeal, stating the amount and sources of his income, listing his property with its value, and identifying any funds used to retain counsel in Family Court and in a separate matter before the Workers' Compensation Board, and explaining why such funds are no longer available.

ENTERED: January 30, 2024

A handwritten signature in black ink, appearing to read "Susanna M. Rojas". The signature is fluid and cursive, with a large initial "S" and "M".

Susanna Molina Rojas
Clerk of the Court