

**Matter of Pascal W. v Carols M. -J.**

Motion No: 2025-02400

Slip Opinion No: 2025 NY Slip Op 68687(U)

Decided on May 13, 2025

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. Dianne T. Renwick,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Cynthia S. Kern  
Peter H. Moulton,

Presiding Justice,  
  
  
  
Justices.

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In the Matter of a Proceeding for a Family  
Offense Pursuant to Article 8 of the Family  
Court Act.

**Confidential**  
Motion No.     **2025-02400**  
Case No.        2025-02470  
Docket No.     O-05047/22

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Pascal W.,  
Petitioner-Respondent,

-against-

Carols M. - J.,  
Respondent-Appellant.

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Respondent-appellant having moved for a waiver of costs, fees, and expenses on the appeal taken to this Court from an order of the Family Court, New York County, entered on or about April 08, 2025, and for assignment of counsel, a free copy of the transcript, and related relief,

Now, upon reading and filing the papers and the Certification of Elliot Podhorzer, Esq., dated April 22, 2025, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to County Law article 18-B and Family Court Act § 1120, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, New York 11432 , Telephone No. 718-570-6160, 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 therefor, **within 30 days (FCA § 1121[7]) of service of a copy of this order upon the Clerk**<sup>1</sup>; (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 the Practice Rules of the

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<sup>1</sup> Service of appellant’s brief upon respondent(s) shall include assigned counsel’s copy of the transcript.

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.**

Appellant, respondent, and the attorney for the child are directed to enter their initial information for electronic filing in the New York State Courts Electronic Filing System (NYSCEF) pursuant to section 1245.3 of the Electronic Filing Rules of the Appellate Division, and thereafter electronically file their respective briefs.

ENTERED: May 13, 2025

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