

**Matter of GARTH J. v ERIN K. & ANDREW K.**

Motion No: CV-25-1710

Slip Opinion No: 2025 NY Slip Op 80546(U)

Decided on November 12, 2025

Appellate Division, Third Department, Motion Decision

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Official Reports.

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department

Decided and Entered: November 12, 2025

CV-25-1710

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In the Matter of GARTH J.,

Respondent,

v

DECISION AND ORDER  
ON MOTION

ERIN K.,

Respondent,

and

ANDREW K.,

Appellant.

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Application to waive costs, fees and expenses on appeal and for assignment of counsel (Family Ct Docket No. V-299-21/23A, B, 24D).

Upon the papers filed in support of the application, and no papers having been filed in opposition thereto, it is

ORDERED that the application is granted and Andrea J. Mooney, Esq., 301 South Geneva Street, Ithaca, NY 14850, is assigned to represent appellant ANDREW K. upon this appeal pursuant to Family Ct Act § 1120, and it is further

ORDERED that if the appeal has not been registered with NYSCEF, counsel shall register the appeal within 14 days of the date of this decision and order, and it is further

ORDERED that the appeal shall be perfected by the appendix method in accordance with section 1250.5 (c) of the Practice Rules of the Appellate Division and sections 850.7 (b) and 850.9 (a) of this Court's Rules of Practice, and it is further

ORDERED that pursuant to CPLR 1102, the Clerk of the Family Court of Tompkins County is directed to furnish two copies of the transcripts of the stenographic minutes of all proceedings in the matter: one to appellant's counsel along with a copy of any other paper or document on file in that office except those which appellate counsel or the court from which the appeal is taken determines are not material and relevant to this appeal, and the second copy of said transcripts to the Clerk of this Court, and the transcripts shall be omitted from the hard copy of the record, and it is further

ORDERED that if the appeal is not perfected by January 12, 2026, appellate counsel shall make an application on notice for a further extension of time to perfect the appeal.

Garry, P.J., Clark, McShan and Powers, JJ., concur.

ENTER:



Robert D. Mayberger  
Clerk of the Court