

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

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E/sl

PETER B. SKELOS, J.P.  
DAVID S. RITTER  
ANITA R. FLORIO  
EDWARD D. CARNI, JJ.

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2008-02858

DECISION & ORDER ON MOTION

In the Matter of Stacy Hobdy, respondent,  
v Darryl Hobdy, appellant.

(Docket No. F-01642-05)

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Motion by the appellant for leave to prosecute an appeal from an order of the Family Court, Queens County, dated January 23, 2008, as a poor person and for the assignment of counsel.

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

ORDERED that the branch of the motion which is for leave to prosecute the appeal on the original papers is denied as unnecessary, and 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]; Family Ct Act § 1116); and it is further,

ORDERED that the branches of the motion which are to waive the filing fee for free transcripts, and for the assignment of counsel are denied.

SKELOS, J.P., RITTER, FLORIO and CARNI, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

July 1, 2008

MATTER OF HOBDY v HOBDY