

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

M89850  
S/sl

STEVEN W. FISHER, J.P.  
HOWARD MILLER  
DANIEL D. ANGIOLILLO  
L. PRISCILLA HALL, JJ.

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2009-01739

DECISION & ORDER ON MOTION

In the Matter of David Mandelowitz, respondent,  
v Adella Bodden, appellant.

(Docket No. F-7216-04)

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ORDERED that on the court's own motion, it is

ORDERED that the decision and order on motion of this court dated July 16, 2009, in the above-entitled appeal is recalled and vacated and the following decision and order on motion is substituted therefor:

Motion by the respondent for leave to defend an appeal from an order of the Family Court, Kings County, dated January 6, 2009, as a poor person and for the assignment of counsel, *and to enlarge the record on appeal.*

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

ORDERED that the *branch of the motion which is for leave to defend the appeal as a poor persona and for the assignment of counsel* is granted; and it is further,

ORDERED that pursuant to Family Court Act § 1120 the following named attorney is assigned as counsel for the respondent to defend the appeal:

Lisa Lewis, Esq.  
144 N. 7<sup>th</sup> Street, PMB 428  
Brooklyn, New York 11211  
(718) 857-0247

and it is further,

July 23, 2009

MATTER OF MANDELOWITZ v BODDEN

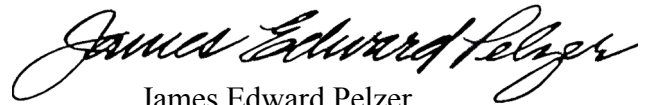
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ORDERED that counsel in the Family Court is relieved, and is directed to turn over all papers in the action to new counsel herein assigned; *and it is further,*

*ORDERED that the motion is otherwise denied.*

FISHER, J.P., MILLER, ANGIOLILLO and HALL, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style with a large initial "J".

James Edward Pelzer  
Clerk of the Court