

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

M90301
S/sl

STEVEN W. FISHER, J.P.
DANIEL D. ANGIOLILLO
THOMAS A. DICKERSON
ARIEL E. BELEN, JJ.

2009-05471, 2009-05686

DECISION & ORDER ON MOTION
Motion for Poor Person Relief

In the Matter of Jennifer Barta, appellant,
v Leo A. Barta, respondent.
(Proceeding No. 1)

In the Matter of Jennifer Barta, appellant,
v Tara Barta, respondent.
(Proceeding No. 2)

(Docket Nos. O-05549-09, O-05500-09)

Motions by the appellant for leave to prosecute appeals from two orders of the Family Court, Queens County, both dated May 11, 2009, as a poor person, and for the assignment of counsel.

Upon the papers filed in support of the motions and the papers filed in opposition thereto, it is

ORDERED that the motion is granted; and it is further,

ORDERED that the appeals 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 Law Guardian, if any. The parties are directed to file 10 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 stenographer(s) and/or the transcription service(s) is/are required promptly to make and certify two transcripts of the proceedings, if any, in the case of stenographers, both transcripts shall be filed with the clerk of the Family Court, and the clerk of the Family Court shall furnish one of such certified transcripts to the appellant's counsel, without charge; in the case of transcription services, one transcript shall be filed with the clerk of the Family Court and one transcript shall be delivered to the assigned counsel. Assigned counsel is directed to provide copies of said transcripts to all of the other parties to the appeals, including the Law Guardian, if any, when counsel serves the appellant's brief upon those parties; and it is further,

August 3, 2009

MATTER OF BARTA v BARTA

Page 1.

ORDERED that pursuant to Family Court Act § 1120 the following named attorney is assigned as counsel to prosecute the appeals:

Christina Brandt-Young, Esq.
450 West 33 Street
New York, New York, 10001
(212) 613-5086

and it is further,

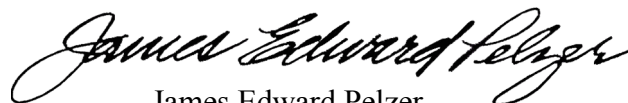
ORDERED that the assigned counsel shall prosecute the appeals expeditiously in accordance with any scheduling order or orders issued pursuant to § 670.4(a) of the rules of this court (22 NYCRR 670.4[a]); and it is further,

ORDERED that on the court's own motion the appeals are consolidated and the parties shall file 10 copies of their respective briefs; and it is further,

ORDERED that assigned counsel is directed to serve a copy of this order upon the Clerk of the court from which the appeals are taken.

FISHER, J.P., ANGIOLILLO, DICKERSON and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court