

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

1704

CA 08-00163

PRESENT: SCUDDER, P.J., SMITH, CENTRA, AND FAHEY, JJ.

LEON R. KOZIOL, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

KELLY HAWSE KOZIOL, DEFENDANT-RESPONDENT.
(APPEAL NO. 2.)

LEON R. KOZIOL, UTICA, PLAINTIFF-APPELLANT PRO SE.

SUGARMAN LAW FIRM, LLP, SYRACUSE (REBECCA A. CRANCE OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from a judgment of the Supreme Court, Oneida County (John W. Grow, J.), entered September 25, 2007 in a divorce action. The judgment, insofar as appealed from, determined custody and plaintiff's support obligations in accordance with a stipulation of settlement and modification agreement that were incorporated but not merged in the judgment.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same Memorandum as in *Koziol v Koziol* ([appeal No. 1] ____ AD3d ____ [Mar. 20, 2009]).

Entered: March 20, 2009

JoAnn M. Wahl
Clerk of the Court