

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

1705

CA 08-00164

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. 3.)

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

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

Appeal from an order of the Supreme Court, Oneida County (John W. Grow, J.), entered November 28, 2007 in a divorce action. The order, insofar as appealed from, denied plaintiff's request to amend the caption and settled the record on appeal.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed 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