

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

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CA 11-00496

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, SCONIERS, AND GORSKI, JJ.

ARDA MAKARCHUK, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

EDWARD MAKARCHUK, DEFENDANT-APPELLANT.
(APPEAL NO. 2.)

LEVITT & GORDON, ESQS., NEW HARTFORD (DEAN L. GORDON OF COUNSEL), FOR
DEFENDANT-APPELLANT.

Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered December 21, 2010. The order, among other things, denied defendant's application to hold plaintiff in willful contempt.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Same Memorandum as in *Makarчук v Makarчук* ([appeal No. 1] ___ AD3d ___ [Jan. 31, 2012]).

Entered: January 31, 2012

Frances E. Cafarell
Clerk of the Court