

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

1132

CA 16-00020

PRESENT: SMITH, J.P., DEJOSEPH, CURRAN, AND SCUDDER, JJ.

---

PEGGYANN HART, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

CHARLES R. HART, DEFENDANT-APPELLANT.  
(APPEAL NO. 1.)

---

MITCHELL LAW OFFICE, OSWEGO (RICHARD C. MITCHELL, JR., OF COUNSEL),  
FOR DEFENDANT-APPELLANT.

AMDURSKY, PELKY, FENNELL & WALLEN, P.C., OSWEGO (COURTNEY S. RADICK OF  
COUNSEL), FOR PLAINTIFF-RESPONDENT.

---

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered March 25, 2015. The order, inter alia, found that defendant willfully failed to obey prior court orders and that plaintiff willfully failed to obey the provisions of Domestic Relations Law § 236 (B) (2) (b).

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

Same memorandum as in *Hart v Hart* ([appeal No. 2] \_\_\_ AD3d \_\_\_ [Dec. 23, 2016]).

Entered: December 23, 2016

Frances E. Cafarell  
Clerk of the Court