

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

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CA 21-01299

PRESENT: SMITH, J.P., PERADOTTO, CURRAN, WINSLOW, AND MONTOUR, JJ.

JENNIFER FROEBEL, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

WESLEY FROEBEL, DEFENDANT-RESPONDENT.
(APPEAL NO. 2.)

BENNETT SCHECHTER ARCURI & WILL LLP, BUFFALO (KRISTIN L. ARCURI OF COUNSEL), FOR PLAINTIFF-APPELLANT.

JUSTIN S. WHITE, WILLIAMSVILLE, FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered September 13, 2021. The order directed plaintiff to pay child support to the defendant.

It is hereby ORDERED that the order so appealed from is unanimously reversed on the law without costs, the award of child support is vacated, and the matter is remitted to Supreme Court, Erie County, for further proceedings in accordance with the same memorandum as in *Froebel v Froebel* ([appeal No. 1] – AD3d – [Dec. 23, 2022] [4th Dept 2022]).

Entered: December 23, 2022

Ann Dillon Flynn
Clerk of the Court