

COPY

At a term of the Family Court of the State of New York, held in and for the County of Saratoga, at Saratoga County Municipal Center, 35 W. High St., Ballston Spa, NY 12020-0600, on October 7, 2009

PRESENT: Donald H. Clark Jr., Support Magistrate

In the Matter of a **Support Proceeding**

File #: 10720
Docket #: F-05996-99/09B

Charles E Collins III, SSN: 129-26-4247,
Petitioner,

ORDER ON MOTION

- against -

Arlene M Carella,
Respondent.

A motion having been filed with this Court on September 28, 2009, requesting an order on an Order To Show Cause-Motion filed to have the Saratoga County SCU redetermine arrears, interest charged & License suspension; and a

Support Magistrate of this Court upon examining the motion papers and supporting affidavit(s) and the following having appeared: Charles E Collins III by phone,

The Court finds that the Support Magistrate's do not have the authority to direct the Support Collection Unit to grant the relief requested. Similarly a Support Magistrate cannot direct the Support Collection Unit to return your driver's license. The Motion is dismissed for failure to state a cause of action; and it is therefore

ORDERED that the motion of Charles E Collins III is denied; and it is further

ORDERED that the appearance scheduled for October 22,2009 is hereby cancelled.


SPECIFIC WRITTEN OBJECTIONS TO THIS ORDER MAY BE FILED WITH THIS COURT WITHIN 30 DAYS OF THE DATE THE ORDER WAS RECEIVED IN COURT OR BY PERSONAL SERVICE, OR IF THE ORDER WAS RECEIVED BY MAIL, WITHIN 35 DAYS OF THE MAILING OF THE ORDER.

Dated: October 7, 2009

NOTICE OF ENTRY

PLEASE TAKE NOTICE that the within is a true copy of an
 October 7, 2009 the office of the Clerk of the Family
 Court of the State of New York in the County of Saratoga.

OCT 7 2009


 Chief Clerk of the Court

ENTER

/S/Donald H. Clark, Jr.
Donald H. Clark Jr., Support Magistrate

dab

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: _____
- Order received in court on [specify date(s) and to whom given]: _____

CC: Saratoga County Support Collection Unit, Interested Party
Arlene M Carella, Respondent
Charles E Collins III, Petitioner