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Hon. Stanley L. Pritzker  
Washington County Court  
383 Broadway  
Fort Edward, New York 12828

RE: Collins v. Carella  
Saratoga County Family Court  
File No: 10720  
Objections

Dear Judge Pritzker:

I have been advised that you have been assigned to hear my Objections from Saratoga County Family Court.

I found the following case law that is applicable to my case and I am submitting it for your consideration:

Phillips v. Phillips, 666 N.Y.S.2d 656 (2nd Dept. 1997)

Since both the original order of child support and the stipulation upon which it was based violated the Child Support Standards Act (hereinafter the CSSA) in that they failed to include provisions stating that the parties had been apprised of their rights under the CSSA, the amount that would have been awarded under the CSSA, and the reason for deviating from the CSSA amount, **the original child support order was invalid and not enforceable** (see, *Matter of Bill v. Bill*, 214 A.D.2d 84, 631 N.Y.S.2d 699; *Vernon v. Vernon*, --- A.D.2d ----, 656 N.Y.S.2d 634; see also, Scheinkman, 1992 Supp.Prac. Commentaries, McKinney's Cons.Laws of N.Y., Book 14, Domestic Relations Law C240:27, 1997 Supp.Pamph., at 374)

In the Matter of Re D, 58 Misc.2d 1093, 296 N.Y.S.2d 825 (Fam Ct. 1968)

In connection with the above mentioned sections, the question arises as to what constitutes 'a lawful order'. Black's Law Dictionary, Fourth Edition at page 1032 defines the word **lawful** as follows:

'Legal; Warranted or authorized by the law; having the qualifications prescribed by law; not contrary to nor forbidden by the law. \* \* \*' (Emphasis supplied).

(See also Black's Law Dictionary Fifth Edition page 797 and Sixth Edition page 885)

Korn v. Gulotta, 186 A.D.2d 196, 587 N.Y.S.2d 906 (2nd Dept. 1992)

Contrary to Korn's contention, we find that the Supreme Court did not improvidently exercise its discretion by denying his motion to hold the respondents in **contempt** (Citation omitted). It is settled law that, in order to find that contempt has occurred in a given case, **it must initially be determined that "a lawful order of the court, clearly expressing an unequivocal mandate, was in effect"**

Munz v. Munz, 661 N.Y.S.2d 882 (3rd Dept. 1997)

We affirm. "In order to find that a civil contempt has occurred, it must be determined that the party charged with contempt had knowledge of and **disobeyed a lawful order of the court** which '[e]xpressed an unequivocal mandate' "

Thank you for considering the above.

Respectfully yours

  
Charles E. Collins, III

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