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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 January 7, 2010

PRESENT: Donald H. Clark Jr., Support Magistrate

In the Matter of a **Support Proceeding**

File #: 10720

Docket #: F-05996-99/10C

Charles E Collins III,

Petitioner,

ORDER OF DISMISSAL

- against -

Arlene M Carella,

Respondent.

A petition under Article 4 of the Family Court Act, having been filed in this Court on January 4, 2010 for the following: FCA 216-c;

And the matter having duly come on to be heard before this Court and no one having appeared:

NOW, after examination and inquiry into the facts and circumstances of the case, it is hereby


ADJUDGED that the petition is dismissed due to failure to state cause of action as there is no current support obligation as the children are emancipated and past due child support judgments and accrued interest cannot be vacated by Family Court; it is therefore

ORDERED that the petition herein is dismissed ^{DHC} without prejudice.

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: January 8, 2010

ENTER



Donald H. Clark Jr., Support Magistrate

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: Arlene M Carella, Respondent
Charles E Collins III, Petitioner

ms

<p>NOTICE OF ENTRY PLEASE TAKE NOTICE that the within is a true copy of an order entered in the office of the Clerk of the Family Court of the State of New York in the County of Saratoga.</p> <p style="text-align: center;">JAN 13 2010</p> <p style="text-align: center;"> Chief Clerk of the Court</p>
