

At a Special Term of the Supreme Court, Part XV, held in and for the County of Erie, at the Erie County Hall, Buffalo, New York, on the 18th day of July, 1977.

PRESENT: HON. CARMAN F. BALL,
Justice, presiding.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

SANDRA L. PEKARSKE
380 Hudson Street
Buffalo, New York,
Plaintiff,

Index No. E 43343

ACTION FOR DIVORCE

-- against --

JUDGMENT

ROBERT J. PEKARSKE
153 Springville
Buffalo, New York,
Defendant.

The above entitled action having been duly brought by the plaintiff for a judgment of absolute divorce in favor of the plaintiff and against the defendant dissolving the marriage relation heretofore existing between the parties hereto by reason of the plaintiff and the defendant having lived separate and apart for a period of one or more years pursuant to a written Agreement of Separation for such period of one or more years after the execution of said Agreement, and the summons bearing the notation "Action for a Divorce" having been duly personally served upon the defendant within the State of New York and the defendant not having appeared within the Statutory Period prescribed therefor, and his time to do so has fully expired, and plaintiff having appeared

before this Court and applied at a Special Term, Part XV thereof, held in the County of Erie, for judgment for the relief demanded in the complaint, and having appeared on such application by BARBARA ELLEN HANDSCHU, her attorney, and having presented her verified complaint and written and oral proof of the service of the Summons upon the defendant, and the defendant not having appeared upon such application, and testimony having been given in open court on the 18th day of July, 1977 before me, satisfactorily proving the allegations of the verified complaint, and the undersigned having heard and considered the proof offered and having made a decision in writing containing separate statements of the facts found and the conclusions of law and upon written proof that the defendant is not in the military service of the United States of America;

NOW, on motion of BARBARA ELLEN HANDSCHU, attorney for the plaintiff, it is

ORDERED, ADJUDGED AND DECREED, that the plaintiff be and hereby is granted judgment dissolving the marriage relation heretofore existing between SANDRA PEKARSKE, plaintiff, and ROBERT PEKARSKE, defendant, by reason of the plaintiff and the defendant having lived separate and apart pursuant to a written Agreement of Separation for a period of one or more years after the execution of said Agreement, and it is further

ORDERED, ADJUDGED AND DECREED, that the plaintiff is awarded the sole custody of the infant issue of the marriage of the parties hereto, viz., NICOLE KRISTEN PEKARSKE, born October 14, 1971 and the defendant is granted the right of visitation as

set forth in the Agreement of Separation, and it is further

ORDERED, ADJUDGED AND DECREED, that the defendant pay to the plaintiff for the support and maintenance of the infant issue of the marriage of the parties hereto the sum of Twenty-Five (\$25.00) dollars per week and that such support continue until such time as the child shall attain the age of twenty-one (21) years, marry or become emancipated, whichever event shall first occur and that the defendant also shall be required to provide medical and hospital insurance for the child born of the marriage until such time as she becomes twenty-one (21) years old, marries or becomes emancipated, whichever event first occurs, and it is further

ORDERED, ADJUDGED AND DECREED, that the terms of the Agreement of Separation, dated 14 July, 1976, shall herein be incorporated and shall not merge into the Judgment but such terms shall survive as if set forth fully, and it is further

ORDERED, ADJUDGED AND DECREED, that the plaintiff shall be entitled to resume the use of her own name, to wit: SANDRA PARKS, and it is further

ORDERED, ADJUDGED AND DECREED, that the plaintiff, SANDRA PEKARSKE, shall have judgment and recover against the defendant, ROBERT PEKARSKE, the sum of One Thousand Two Hundred and Fifty (\$1250.00) Dollars, the arrears due in child support under a Separation Agreement entered into between the parties.

E N T E R :

J. S. C.