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This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 123 SSM 7
In the Matter of Commissioner of
Social Services, on Behalf of
Maudlyn V.R.,
Respondent,
v.
Paul C.,
Appellant.

Submitted by Barry A. Elisofon, for appellant.
Submitted by Julie Steiner, for respondent.

MEMORANDUM:

The order of the Appellate Division should be affirmed,
with costs, and the certified question not answered upon the
ground it is unnecessary.

In this child support proceeding, the courts below

correctly held that the Commissioner of Social Services was not required to prove that the award of public assistance to the mother was justified. The father suggested that he could bear the burden of proving that the mother had undisclosed resources available for support of the child, but failed to make an adequate offer of proof on this issue.

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On review of submissions pursuant to section 500.11 of the Rules, order affirmed, with costs, and certified question not answered upon the ground that it is unnecessary, in a memorandum. Chief Judge Lippman and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided April 5, 2011