

MICHAEL A. CARDOZO  
*Corporation Counsel*

THE CITY OF NEW YORK  
**LAW DEPARTMENT**

FAMILY COURT DIVISION  
NEW YORK COUNTY OFFICE  
52 DUANE STREET  
NEW YORK, N.Y. 10007-1207

(212) 442-6840  
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September 26, 2005

Robert G. Bernhoft, Esq.  
The Law Office of Robert G. Bernhoft, S.C.  
207 East Buffalo Street, Suite 600  
Milwaukee, Wisconsin 53202

Re: Pettis v. Snipes  
Family Court, New York  
County Dkt. No. U-8716/01

Dear Mr. Bernhoft:

Enclosed are copies of Corporation Counsel's notice of motion and affirmation returnable October 6, 2005 in Family Court, New York County, before the Hon. Mary E. Bednar.

Sincerely,

Marjorie D. Wiener  
Assistant Corporation Counsel

FAMILY COURT OF THE STATE OF NEW YORK  
CITY OF NEW YORK: COUNTY OF NEW YORK

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In the Matter of a Proceeding under Articles 4, 5 & 5-B of  
the Family Court Act  
Lanise L. Pettis,

**NOTICE OF MOTION**  
**DOCKET NO. U-8716/01**

Petitioner,

-against-

Wesley Snipes,

Respondent.  
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**PLEASE TAKE NOTICE**, that upon the annexed affirmation of Marjorie D. Wiener, dated September 26, 2005, the letter dated September 23, 2005 from Angela Pearce, Initiating Contact Person, Indiana Child Support Enforcement Office with accompanying LaPorte Superior Court Indiana order issued and filed September 19, 2005 and September 14, 2005 Orchid Gene Screen genetic test report, and upon all of the papers and proceedings heretofore had herein, the undersigned will move this Court before the Honorable Mary E. Bednar, Part 1, at the Court House, 60 Lafayette Street, 5<sup>th</sup> floor, New York, New York 10013, on October 6, 2005, at 9:30 o'clock in the forenoon or as soon thereafter as counsel may be heard for an order vacating the warrants issued June 17, 2003 and July 25, 2003 and dismissing with prejudice the petition sworn to June 15, 2001.

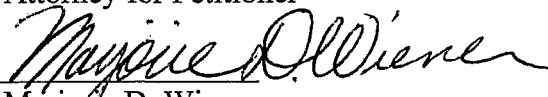
**PLEASE TAKE FURTHER NOTICE**, that answering affidavits, if any, must be

served in accordance with the provisions of CPLR R 2214.

Dated: New York, NY  
September 26, 2005

Respectfully submitted;

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
Attorney for Petitioner

BY   
Marjorie D. Wiener  
Assistant Corporation Counsel  
Family Court Division  
New York County Office  
52 Duane Street, 6<sup>th</sup> floor  
New York, NY 10007  
Tel. No. 212-442-6840

TO: The Law Office of Robert G. Bernhoft, S.C.  
207 East Buffalo Street, Suite 600  
Milwaukee, Wisconsin 53202  
Attention: Robert G. Bernhoft, Esq.  
Tel. No. (414) 276-3333

FAMILY COURT OF THE STATE OF NEW YORK  
CITY OF NEW YORK: COUNTY OF NEW YORK

----- X  
In the Matter of a Proceeding under Articles 4, 5 & 5-B of  
the Family Court Act

**AFFIRMATION IN  
SUPPORT**

Lanise L. Pettis

Docket No. U-8716/01

Petitioner,

-against-

Wesley Snipes,

Respondent.  
----- X

Marjorie D. Wiener, an attorney duly admitted to practice law in the courts of the State of New York, affirms under the penalties of perjury as follows:

1. I am an Assistant Corporation Counsel in the office of MICHAEL A. CARDOZO, Corporation Counsel of the City of New York, attorney for the Petitioner, assigned to the litigation of this matter.

2. I am familiar with the facts and circumstances of this matter based on personal knowledge and on the files and records maintained by the Law Department of the City of New York and submit this affirmation in support of the motion to vacate the warrants issued on June 17, 2003 and on July 25, 2003 and for an order dismissing the petition sworn to June 15, 2001 seeking entry of an order of filiation and support for the subject child filed by the Initiating Jurisdiction in Indiana on behalf of the Petitioner pursuant to the Uniform Interstate Family Support Act (UIFSA), Article 5-B of the Family Court Act (FCA).

3. On September 23, 2005, Angela Pearce, Initiating Contact Person, Child Support Office, in Michigan City, Indiana, requested that this case be closed. A copy of this request is attached as Exhibit 1.

4. The dismissal submitted by Indiana is based on the (a) order of dismissal with prejudice by the LaPorte Superior Court, Indiana issued and filed September 19, 2005 and (b) Orchid Gene Screen genetic test report dated September 14, 2005, copies of which are attached as a single Exhibit 2.

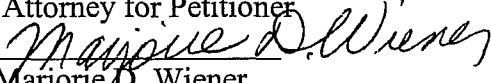
WHEREFORE, it is respectfully requested that this Court issue an order (a) vacating the warrants issued June 17, 2003 and July 25, 2003 and (b) dismissing with prejudice the interstate petition sworn to June 15, 2001.

Dated: New York, NY  
September 26, 2005

Respectfully submitted,

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
Attorney for Petitioner

By

  
Marjorie D. Wiener  
Assistant Corporation Counsel  
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