

Bid to Overturn Adoption Fails

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Abstract (Abstract): The attorney for the Stamatises, Fred Magovern, said he had received a copy of the Supreme Court's denial yesterday. The decision means that the adoption of Marissa Stamatis, which was made final last December in Suffolk Family Court, will not be challenged. "That is now a dead issue," said Magovern, who has received virtually no payment for the case because of the Stamatises' financial problems.

Full text: The U.S. Supreme Court has denied a Syosset couple's request to reconsider a state court decision that barred them from reclaiming the Down's syndrome child they gave up for adoption in 1983.

The federal court decision, handed down without comment Monday, puts an end to the three-year-long legal battle between Warren and Christine Kosher of Syosset and Timmy and Lisa Stamatis of Coram, who adopted the baby girl they named Marissa.

The case, known as the Matter of Sarah K., called into question the clarity of state law in specifying when the rights of natural parents end once they give up their children for adoption.

"We're going to have to bury a lot of hurt feelings and just move on," Lisa Stamatis said yesterday. "Finally, it's over."

Martin Guggenheim, attorney for the Koshers, confirmed the Supreme Court decision yesterday and said the couple would not attempt any further legal action. "That's it," he said.

The attorney for the Stamatises, Fred Magovern, said he had received a copy of the Supreme Court's denial yesterday. The decision means that the adoption of Marissa Stamatis, which was made final last December in Suffolk Family Court, will not be challenged. "That is now a dead issue," said Magovern, who has received virtually no payment for the case because of the Stamatises' financial problems.

The case began in December, 1983, when the Koshers gave up the child they named Sarah one day after her birth because she had Down's syndrome. They changed their minds about the adoption, however, shortly before the final adoption hearing, claiming that state law was not clear enough about their rights as natural parents.

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