

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

D13848  
C/cb

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Argued - January 11, 2007

REINALDO E. RIVERA, J.P.  
FRED T. SANTUCCI  
PETER B. SKELOS  
WILLIAM E. McCARTHY, JJ.

2006-00351

DECISION & ORDER

In the Matter of John Poppe, et al., respondents, v  
Laura Ruocco, appellant.

(Docket Nos. V-2761-05, V-2762-05)

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Joanne D. Olson, Staten Island, N.Y. (Catherine Bridge of counsel), for appellant.

William J. Frew, Jr., Staten Island, N.Y., for respondents.

Marc A. Berk, Staten Island, N.Y., Law Guardian for the children.

In a proceeding pursuant to Family Court Act article 6, inter alia, for grandparent visitation, the mother appeals from an order of the Family Court, Richmond County (Porzio, J.), dated December 1, 2005, which, after a hearing, granted that branch of the petition which was for visitation with the children.

ORDERED that the order is affirmed, without costs or disbursements.

“The question of visitation, which involves a determination of what is in the child's best interests, is left to the discretion of the court” (*Matter of Weis v Rivera*, 29 AD3d 812, 813; see *Lo Presti v Lo Presti*, 40 NY2d 522, 527). An essential part of this inquiry is whether a meaningful relationship exists between the petitioning grandparents and the child (see *Matter of Weis v Rivera*, supra; *Matter of Principato v Lombardi*, 19 AD3d 602, 603). The testimony at the hearing established that there was a meaningful relationship between the grandparents and the children. In addition, the testimony established that visitation would be in the children's best interests. Thus,

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under the circumstances, the Family Court providently exercised its discretion in granting visitation with the grandparents.

RIVERA, J.P., SANTUCCI, SKELOS and McCARTHY, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court