

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

D17337
C/hu

_____AD3d_____

Submitted - November 1, 2007

STEPHEN G. CRANE, J.P.
STEVEN W. FISHER
EDWARD D. CARNI
WILLIAM E. McCARTHY, JJ.

2006-04548

DECISION & ORDER

Peter Petrov, appellant, v Mariya Basheva-Petrova, respondent.

(Index No. 3184/05)

Peter Petrov, Stamford, Connecticut, appellant pro se.

Anne Gilleece, White Plains, N.Y., for respondent.

In an action for a divorce and ancillary relief, the plaintiff appeals from stated portions of an order of the Supreme Court, Westchester County (Walker, J.), dated April 25, 2006, which, after a hearing, inter alia, directed him to pay the defendant pendente lite maintenance in the amount of \$900 per month and an interim attorney's fee in the sum of \$10,000.

ORDERED that the order is affirmed insofar as appealed from, without costs or disbursements.

We decline to disturb the award to the defendant of pendente lite maintenance as it was a proper accommodation between the reasonable needs of the defendant and the financial ability of the plaintiff (*see Stubbs v Stubbs*, 41 AD3d 832, 833; *Barone v Barone*, 41 AD3d 623, 624; *Iwanow v Iwanow*, 39 AD3d 471, 472).

In light of the financial disparity between the parties, the award of an interim attorney's fee was a provident exercise of the court's discretion (*see Stubbs v Stubbs*, 41 AD3d 832; *Cooper v Cooper*, 32 AD3d 376, 377; *Singer v Singer*, 16 AD3d 666, 667).

December 18, 2007

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The plaintiff's remaining contentions are without merit.

CRANE, J.P., FISHER, CARNI and McCARTHY, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer
Clerk of the Court