

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

D18490  
W/kmg

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - February 11, 2008

REINALDO E. RIVERA, J.P.  
PETER B. SKELOS  
FRED T. SANTUCCI  
JOHN M. LEVENTHAL, JJ.

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2007-04966

DECISION & ORDER

Michael W. Torelli, respondent, v Lina Torelli, defendant; Leonard R. Sperber, nonparty-appellant; Danielle I. Schwager, P.C., nonparty-respondent.

(Index No. 27243/05)

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Leonard R. Sperber, Garden City, N.Y., nonparty-appellant pro se.

Thomas K. Campagna, Ronkonkoma, N.Y. (Elisa Treglia of counsel), for respondent.

Danielle I. Schwager, P.C., Central Islip, N.Y., attorney for the child Sarah Torelli and nonparty-respondent pro se.

In an action for a divorce and ancillary relief, Leonard R. Sperber, the attorney retained on behalf of the parties' daughter by the maternal grandmother, appeals from an order of the Supreme Court, Suffolk County (Mackenzie, J.), dated May 25, 2007, which denied his motion to relieve Danielle I. Schwager, P.C., as the attorney for the parties' daughter and to appoint him as attorney for the parties' daughter.

ORDERED that the order is affirmed, with costs.

The Supreme Court properly denied the motion of nonparty Leonard R. Sperber to be substituted as the attorney for the parties' daughter in the place of the court-appointed attorney (*see Matter of La Bier v La Bier*, 291 AD2d 730, 733).

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

ENTER:

  
James Edward Pelzer  
Clerk of the Court

April 29, 2008

TORELLI v TORELLI