

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

D22122  
W/prt

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

Submitted - January 20, 2009

PETER B. SKELOS, J.P.  
FRED T. SANTUCCI  
RUTH C. BALKIN  
RANDALL T. ENG, JJ.

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2007-07295

DECISION & ORDER

Christina Sherrock, respondent,  
v Paul Sherrock, appellant.

(Index No. 201372/03)

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Curtis R. Exum, Hauppauge, N.Y., for appellant.

Edward M. Gould, Islip, N.Y., for respondent.

In an action for a divorce and ancillary relief, the defendant appeals, as limited by his brief, from so much of a judgment of the Supreme Court, Nassau County (Copertino, J.H.O.), entered June 27, 2007, as, after a nonjury trial, directed him to pay spousal maintenance in the sum of \$383 per week for a period of 26 months and child support in the sum of \$665 per week, and awarded the plaintiff an attorney's fee in the sum of \$8,500.

ORDERED that the judgment is affirmed insofar as appealed from, with costs.

The trial court providently exercised its discretion in applying the statutory percentage of 25% (*see* Family Ct Act § 413 [1][b][3][ii]) to the portion of the parents' combined annual income which exceeded the sum of \$80,000 (*see Matter of Cassano v Cassano*, 85 NY2d 649). Further, the amount and duration of the maintenance award was proper (*see Griggs v Griggs*, 44 AD3d 710).

The appellant's remaining contentions are without merit.

SKELOS, J.P., SANTUCCI, BALKIN and ENG, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

February 10, 2009

SHERROCK v SHERROCK