

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

D36333
G/hu

_____AD3d_____

Submitted - September 28, 2012

WILLIAM F. MASTRO, J.P.
PLUMMER E. LOTT
LEONARD B. AUSTIN
JEFFREY A. COHEN, JJ.

2012-01436

DECISION & ORDER

In the Matter of Catherine Ann Bancroft, petitioner, v
Tony Edward Nagora, respondent; Michael A. Fiechter,
etc., nonparty-appellant.

(Docket No. V-4974-5/02/10D)

Michael A. Fiechter, Bellmore, N.Y., nonparty-appellant pro se.

In a child custody proceeding pursuant to Family Court Act article 6, Michael A. Fiechter, the former attorney for the father, appeals, by permission, from an order of the Family Court, Kings County (Hepner, J.), dated January 24, 2012, which, pursuant to 22 NYCRR 130-2.1, imposed costs on him in the sum of \$263 payable to the father for the failure to appear at a scheduled conference.

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

The Family Court providently exercised its discretion in imposing the father's costs, pursuant to 22 NYCRR 130-2.1, on the father's former attorney, the appellant Michael A. Fiechter, for failing to appear at a scheduled conference without good cause (*see Matter of Gore v Gore*, 79 AD3d 880; *Sanchez v Sanchez*, 286 AD2d 324; compare *Zeltser v Sacerdote*, 24 AD3d 541, 542).

MASTRO, J.P., LOTT, AUSTIN and COHEN, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

November 7, 2012

MATTER OF BANCROFT v NAGORA