

**SUPREME COURT OF THE STATE OF NEW YORK**  
***Appellate Division, Fourth Judicial Department***

1525

**CAF 08-02432**

PRESENT: SCUDDER, P.J., FAHEY, CARNI, AND GORSKI, JJ.

---

IN THE MATTER OF LORIE SPORTELLO,  
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

MICHAEL A. SPORTELLO, RESPONDENT-RESPONDENT.  
(APPEAL NO. 2.)

---

JOHN J. RASPANTE, NEW HARTFORD, FOR PETITIONER-APPELLANT.

JESSICA MANIERI, LAW GUARDIAN, HERKIMER, FOR TYLER R.S. AND MICHAEL  
V.S.

---

Appeal from an order of the Family Court, Herkimer County  
(Anthony J. Garramone, J.H.O.), entered July 30, 2008 in a proceeding  
pursuant to Family Court Act article 6. The order dismissed the  
petition.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs.

Same Memorandum as in *Matter of Sportello v Sportello* ([appeal  
No. 1] \_\_\_ AD3d \_\_\_ [Feb. 11, 2010]).

Entered: February 11, 2010

Patricia L. Morgan  
Clerk of the Court