

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

1263

CA 10-00047

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, LINDLEY, AND GREEN, JJ.

IN THE MATTER OF THE ESTATE OF KEVIN W. STANLEY,
DECEASED.

DIANE R. STANLEY, AS EXECUTRIX,
PETITIONER-APPELLANT;

MEMORANDUM AND ORDER

LAWRENCE J. MATTAR, ESQ., AS GUARDIAN AD LITEM
FOR ASHLEY STANLEY, A MINOR, AND ARCANGELO J.
PETRICCA, ESQ., AS GUARDIAN AD LITEM FOR KATHRYN
STANLEY, A MINOR, RESPONDENTS-RESPONDENTS.

IN THE MATTER OF THE ESTATE OF KATHLEEN A.
STANLEY, DECEASED.

RICHARD T. STANLEY, AS ADMINISTRATOR,
PETITIONER-APPELLANT;

LAWRENCE J. MATTAR, ESQ., AS GUARDIAN AD LITEM
FOR ASHLEY STANLEY, A MINOR, AND ARCANGELO J.
PETRICCA, ESQ., AS GUARDIAN AD LITEM FOR KATHRYN
STANLEY, A MINOR, RESPONDENTS-RESPONDENTS.
(APPEAL NO. 5.)

HOGAN WILLIG, AMHERST (JOHN LICATA OF COUNSEL), FOR
PETITIONERS-APPELLANTS.

ARCANGELO J. PETRICCA, LACKAWANNA, RESPONDENT-RESPONDENT PRO SE FOR
ARCANGELO J. PETRICCA, ESQ., AS GUARDIAN AD LITEM FOR KATHRYN STANLEY,
A MINOR.

MATTAR, D'AGOSTINO & GOTTLIEB, LLP, BUFFALO (JONATHAN SCHAPP OF
COUNSEL), FOR RESPONDENT-RESPONDENT LAWRENCE J. MATTAR, ESQ., AS
GUARDIAN AD LITEM FOR ASHLEY STANLEY, A MINOR.

Appeals from an order of the Surrogate's Court, Erie County
(Barbara Howe, S.), entered December 15, 2009. The order, among other
things, denied petitioners' motion to vacate the October 9, 2009
order.

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

Same Memorandum as in *Matter of Stanley* ([appeal No. 1], ___ AD3d

____ [Dec. 30, 2010]).

Entered: December 30, 2010

Patricia L. Morgan
Clerk of the Court