

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

D21298
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Submitted - November 3, 2008

PETER B. SKELOS, J.P.
ROBERT A. LIFSON
FRED T. SANTUCCI
EDWARD D. CARNI, JJ.

2007-05951
2007-05952

DECISION & ORDER

James Williams, appellant, v Beach View Apt. Corp.,
respondent.

(Index No. 11912/01)

James Williams, New York, N.Y., appellant pro se.

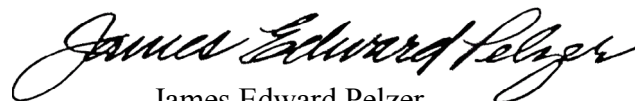
In an action, inter alia, to permanently enjoin the defendant from selling the shares of its stock that are assigned to a certain cooperative apartment at 129 Beach 118th Street in Belle Harbor, the plaintiff appeals from (1) so much of an order of the Supreme Court, Queens County (Grays, J.), dated December 20, 2005, as denied those branches of his motion which were to set aside a stipulation of settlement dated February 7, 2002, and a stipulation of discontinuance dated February 15, 2002, and to restore the action to the trial calendar, and (2) so much of an order of the same court dated May 11, 2007, as denied that branch of his motion which was for leave to reargue those branches of his prior motion.

ORDERED that on the Court's own motion, the appeal from the order dated December 20, 2005, is dismissed as untimely taken, without costs or disbursements (*see* CPLR 5513[a]); and it is further,

ORDERED that the appeal from the order dated May 11, 2007, is dismissed, without costs or disbursements, as no appeal lies from an order denying reargument.

SKELOS, J.P., LIFSON, SANTUCCI and CARNI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

December 30, 2008

WILLIAMS v BEACH VIEW APT. CORP.