

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

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E/cb

STEVEN W. FISHER, J.P.
EDWARD D. CARNI
WILLIAM E. McCARTHY
ARIEL E. BELEN, JJ.

2008-02372

DECISION & ORDER ON MOTION

Sandra Elena Hatem, respondent, v
Albert Anthony Hatem, appellant.

(Index No. 3682/05)

Motion by the respondent to dismiss an appeal from an order of the Supreme Court, Westchester County, entered September 24, 2007, on the ground that it was untimely taken and for an award of costs and disbursements and to impose a sanction upon the appellant. Application by the appellant to withdraw the appeal.

Upon the papers filed in support of the motion and upon the application, and no other papers having been filed in response thereto, it is

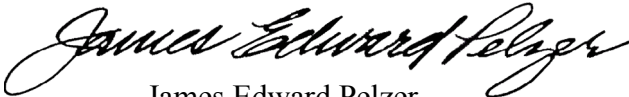
ORDERED that the application is granted and the appeal is deemed withdrawn without costs or disbursements; and it is further,

ORDERED that the branch of the motion which is to dismiss the appeal is denied as academic; and it is further,

ORDERED that the motion is otherwise denied.

FISHER, J.P., CARNI, McCARTHY and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 5, 2008

HATEM v HATEM