

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

M71293
S/sl

REINALDO E. RIVERA, J.P.
STEVEN W. FISHER
ROBERT A. LIFSON
MARK C. DILLON, JJ.

2004-09828

ORDER TO SHOW CAUSE

In the Matter of Ted Demirjian, et al., appellants,
v Jeffrey Freis, et al., respondents.

(Index No. 04-181)

Appeal by the plaintiffs from an order and judgment (one paper) of the Supreme Court, Westchester County, dated September 27, 2004. The appeal was perfected on April 22, 2005. By decisions and orders on application dated May 19, 2005, and July 19, 2005, the respondents' time to serve and file a brief was enlarged until July 19, 2005, and September 26, 2005, respectively. On November 27, 2006, the attorney for the appellants asked that the appeal not be calendared on the ground that the appeal might be withdrawn. Since that date the appellants' attorney has not responded to inquiries by personnel of this court regarding the status of the appeal.

Now, on the court's own motion, it is

ORDERED that the parties or their attorneys show cause before this court why an order should or should not be entered dismissing the appeal as abandoned by filing an affirmation on that issue with the Clerk of this court on or before June 20, 2008; and it is further,

ORDERED that the Clerk of this court or his designee shall serve a copy of this order to show cause on the parties or their attorneys by regular mail.

RIVERA, J.P., FISHER, LIFSON and DILLON, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 5, 2008

MATTER OF DEMIRJIAN v FREIS