

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

M71443
E/cb

ROBERT A. SPOLZINO, J.P.
DAVID S. RITTER
THOMAS A. DICKERSON
JOHN M. LEVENTHAL, JJ.

2008-02233, 2008-02646

DECISION & ORDER ON MOTION

Helen Halloway, etc., appellant,
v KRNH, Inc., etc., et al., respondents.

(Index No. 0923/07)

Motion by the respondents to dismiss an appeal from an order of the Supreme Court, Kings County, dated October 23, 2007, on the ground that it was untimely taken and to dismiss an appeal from an order of the same court dated January 15, 2008, on the ground that no appeal lies from an order denying reargument.

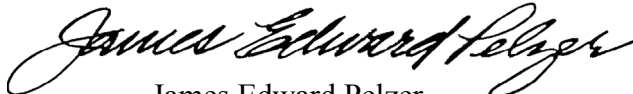
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is to dismiss the appeal from the order dated October 23, 2007 (Appellate Division Docket No. 2006-02646), is denied; and it is further,

ORDERED that the branch of the motion which is to dismiss the appeal from the order dated January 15, 2008 (Appellate Division Docket No. 2006-02233), is granted and that appeal is dismissed, without costs or disbursements, on the ground that no appeal lies from an order denying reargument.

SPOLZINO, J.P., RITTER, DICKERSON and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 5, 2008

HALLOWAY v KRNH, INC.