

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

M71498
S/sl

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
ROBERT A. SPOLZINO
PETER B. SKELOS, JJ.

2007-07779

DECISION & ORDER ON MOTION

Nesconset Nursing Center, LLC, respondent,
v John Balzarini, et al., appellants.

(Index No. 3531-07)

Appeal by the defendants from an order of the Supreme Court, Suffolk County, dated August 1, 2007. The appeal has not been perfected.

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

ORDERED that the appeal is dismissed, without costs or disbursements, for failure to timely perfect (*see* 22 NYCRR 670.8[e]); and it is further,

ORDERED that the stay granted by decision and order on motion of this court dated October 11, 2007, is vacated forthwith.

PRUDENTI, P.J., MASTRO, RIVERA, SPOLZINO and SKELOS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 9, 2008

NESCONSET NURSING CENTER, LLC v BALZARINI