

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

M71507
S/sl

PETER B. SKELOS, J.P.
HOWARD MILLER
EDWARD D. CARNI
CHERYL E. CHAMBERS, JJ.

2007-11534

DECISION & ORDER ON APPLICATION

Antonio Daddi, appellant, v Kevin Will,
et al., defendants;
Robert K. Young & Associates,
nonparty-respondent.

(Index No. 17693/06)

Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from an order of the Supreme Court, Nassau County, dated September 13, 2007.

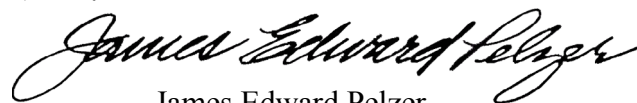
Upon the papers filed in support of the application and no papers having been filed in opposition; thereto, it is

ORDERED that the appeal is dismissed, without costs or disbursements, as no appeal lies from an order entered upon the appellant's default (*see Marino v Termini*, 4 AD3d 342); and it is further,

ORDERED that the application is denied as academic.

SKELOS, J.P., MILLER, CARNI and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 6, 2008

DADDI v WILL