

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

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FRED T. SANTUCCI, J.P.
DANIEL D. ANGIOLILLO
RANDALL T. ENG
CHERYL E. CHAMBERS, JJ.

2008-04800

DECISION & ORDER ON MOTION

In the Matter of Evelyn Ortiz, petitioner,
v Eduardo Hernandez, respondent.

(Docket Nos. V-17361/07, V-29520/07,
V-29735/07)

Motion by the petitioner for leave to appeal to this court from an order of the Family Court, Nassau County, dated April 28, 2008, to stay enforcement of the order pending hearing and determination of the appeal, and for leave to prosecute the appeal as a poor person or to change the allocation of forensic payments set forth in the order.


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 for leave to appeal is denied; and it is further,

ORDERED that the branches of the motion which are to stay enforcement of the order pending hearing and determination of the appeal and for leave to prosecute the appeal as a poor person or to change the allocation of forensic payments set forth in the order are denied as academic.

SANTUCCI, J.P., ANGIOLILLO, ENG and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 11, 2008

MATTER OF ORTIZ v HERNANDEZ