

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

M71761
M/cb

2008-05242, 2008-05243

SCHEDULING

ORDER

In the Matter of Sidney Burnett, appellant,
v Lisa Simmons, respondent.

(Docket No. F-10330-06)

Appeals by Sidney Burnett from two orders of the Family Court, Suffolk County, dated April 14, 2008, and April 29, 2008, respectively. Pursuant to § 670.4(a) of the Rules of this court (22 NYCRR 670.4[a]), it is

ORDERED that the appeals in the above-entitled proceeding shall be perfected within 60 days after the receipt by the appellant of the transcripts of the minutes of the proceedings in the Family Court, and the appellant shall notify this court by letter of the date the transcripts are received, or, in cases where there are no minutes of proceedings to be transcribed, within 60 days of the date of this scheduling order; and it is further,

ORDERED that within 30 days after the date of this scheduling order, the appellant shall file in the office of the Clerk of this court one of the following:

- (1) an affidavit or affirmation stating that there are no minutes in the Family Court proceeding to be transcribed for the appeals; or
- (2) if there are such minutes, an affidavit or affirmation that the transcripts have been received, and indicating the date received; or
- (3) if the transcripts have not been received, an affidavit or affirmation stating that they have been ordered, the date thereof and the date by which the transcripts are expected; or
- (4) an affidavit or an affirmation withdrawing the appeals; and it is further,

June 12, 2008

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ORDERED that if none of the above actions described in (1), (2), (3), or (4) above, has been taken within 30 days of the date of this scheduling order, the Clerk of the court shall issue an order to all parties to the appeals to show cause why the appeals should or should not be dismissed.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large initial "J".

James Edward Pelzer
Clerk of the Court

The Case Manager assigned to this case is Ms. Vazquez. Please contact her at 718-722-6488 with any questions.