

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

M71801
S/sl

DAVID S. RITTER, J.P.
HOWARD MILLER
MARK C. DILLON
WILLIAM E. McCARTHY, JJ.

2008-00435

DECISION & ORDER ON MOTION

Freddy Maldonado, etc., et al., appellants,
v Everest General Contractors, Inc., et al.,
respondents.

(Index No. 3150/04)

Application by the appellants pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from a decision of the Supreme Court, Kings County, dated August 23, 2007.

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

ORDERED that the appeal is dismissed, without costs or disbursements, as no appeal lies from a decision (*see Schicchi vJ. A. Green Constr. Corp.*, 100 AD2d 509); and it is further,

ORDERED that the application is denied as academic.

RITTER, J.P., MILLER, DILLON and McCARTHY, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 12, 2008

MALDONADO v EVEREST GENERAL CONTRACTORS, INC.