

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

M71812
E/sl

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

2008-04697, 2008-04698

DECISION & ORDER ON MOTION

Karen Elizabeth Chamberlain, appellant,
v Mark Henry Chamberlain, respondent.

(Index No. 28483-99)

Motion by the appellant, on appeals from two orders of the Supreme Court, Suffolk County, dated September 4, 2007, and April 21, 2008, respectively, inter alia, to stay enforcement of the order dated April 21, 2008, pending hearing and determination of the appeals.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that on the court's own motion, the appeal from the order dated September 4, 2007 (Appellate Division Docket No. 2008-04697), is dismissed, without costs or disbursements, on the ground that no appeal lies from an order that is entered on the consent of the appealing party (*see* CPLR 5511); and it is further,

ORDERED that the motion is denied.

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

ENTER:


James Edward Pelzer
Clerk of the Court

June 12, 2008

CHAMBERLAIN v CHAMBERLAIN