

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

M72029  
E/sl

A. GAIL PRUDENTI, P.J.  
DAVID S. RITTER  
ANITA R. FLORIO  
WILLIAM E. McCARTHY, JJ.

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2008-04286

DECISION & ORDER ON MOTION

In the Matter of John D. Poppe, et al.,  
petitioner-respondent, v Laura Ruocco,  
respondent-respondent; Staten Island  
Mental Health Society, appellant.

(Docket Nos. V-2761/05, V-2762/05)

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Motion by Staten Island Mental Health Society for leave to appeal to this court from an order of the Family Court, Richmond County, dated April 4, 2008, and to stay enforcement of the order pending hearing and determination of the appeal.

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 on the court's own motion, the appeal purportedly taken as of right is dismissed, without costs or disbursements; and it is further,

ORDERED that the branch of the motion which is to stay enforcement of the order is denied as academic.

PRUDENTI, P.J., RITTER, FLORIO and McCARTHY, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

June 19, 2008

MATTER OF POPPE v RUOCCO