

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

M72099
E/sl

REINALDO E. RIVERA, J.P.
ROBERT A. LIFSON
FRED T. SANTUCCI
HOWARD MILLER, JJ.

2008-04647

DECISION & ORDER ON MOTION

Lourdes Garcia, appellant,
v Boris Simonovsky, et al., respondents.

(Index No. 39754/06)

Motion by Lourdes Garcia on an appeal from an order of the Supreme Court, Kings County, dated April 4, 2008, for leave to correct the notice of appeal to accurately reflect that she is the proper appellant.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted, and the notice of appeal is deemed corrected to reflect that Lourdes Garcia is the proper appellant (*see* CPLR 2001; *Matter of Tagliaferri v Weiler*, 1 NY3d 605).

RIVERA, J.P., LIFSON, SANTUCCI and MILLER, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 20, 2008

GARCIA v SIMONOVSKY