

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

M72136
E/sl

WILLIAM F. MASTRO, J.P.
MARK C. DILLON
RANDALL T. ENG
ARIEL E. BELEN, JJ.

2008-05068

DECISION & ORDER ON MOTION

Waldemar Delgado, respondent,
v Luis Arroyo, et al., appellants.

(Index No. 15187/04)

Motion by the appellants to stay all proceedings in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Kings County, dated April 8, 2008, and for leave to prosecute the appeal as poor persons.

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 to stay all proceedings is denied; and it is further,

ORDERED that the branch of the motion which is for leave to prosecute the appeal on the original papers is granted, and the appeal will be heard on the original papers (including the transcript of the proceedings, if any) and on the briefs of the parties, who are directed to file nine copies of their respective briefs and to serve one copy on each other; and it is further,

ORDERED that the branch of the motion which is to waive payment of the filing fee is denied.

MASTRO, J.P., DILLON, ENG and BELEN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 23, 2008

DELGADO v ARROYO