

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

M72145
S/sl

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

2008-00404

DECISION & ORDER ON APPLICATION

In the Matter of Alfred D. Rappaport, deceased.
Sylvia Rappaport, et al., appellants; Marguerite
Downs Rappaport, respondent.

(File No. 307789)

Application by the appellants pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from a decree of the Surrogate's Court, Nassau County, dated June 16, 2008.

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

ORDERED that the appellants' notice of appeal from a decision of the same court dated December 21, 2007, is deemed a premature notice of appeal from the decree (*see* CPLR 5520[c]); and it is further,

ORDERED that the application is granted and the appellants' time to perfect the appeal is enlarged until September 8, 2008, and the record or appendix on the appeal and the appellants' brief must be served and filed on or before that date.

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

ENTER:


James Edward Pelzer
Clerk of the Court

June 23, 2008

MATTER OF RAPPAPORT, DECEASED