

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

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M/cb

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

2008-02643

DECISION & ORDER ON

MOTION

In the Matter of Elsie Charles, respondent,
v Jean Elroy, appellant.

(Docket No. F-28055-04)

Appeal by Jean Elroy from an order of the Family Court, Kings County, dated February 8, 2008. By order to show cause dated May 23, 2008, the parties or their attorneys were directed to show cause why an order should or should not be made and entered dismissing the appeal in the above-entitled proceeding for failure to comply with a scheduling order dated April 9, 2008, issued pursuant to 22 NYCRR 670.4(a)(2).

Now on the court's own motion, and no papers having been filed in opposition or relation thereto, it is

ORDERED that the appeal is dismissed, without costs or disbursements, for failure to comply with a scheduling order dated April 9, 2008, issued pursuant to 22 NYCRR 670.4(a)(2).

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

ENTER:


James Edward Pelzer
Clerk of the Court

June 25, 2008

MATTER OF CHARLES v ELROY