

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.

2008-03178

DECISION & ORDER ON

MOTION

In the Matter of Kim Marie Metrock, appellant,
v Anthony Mahepath, respondent.

(Docket No. V-05194-07)

Appeal by Kim Marie Metrock from an order of the Family Court, Queens County, dated March 10, 2008. By order to show cause dated May 27, 2008, the parties or their attorneys were directed to show cause before this court 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 14, 2008, issued pursuant to 22 NYCRR 670.4(a)(2). The attorney for the appellant has submitted an affirmation indicating that the transcripts for the above-entitled appeal were ordered on or about March 12, 2008.

Now, on the court's own motion, and the papers filed in response to the order to show cause, it is

ORDERED that the motion is denied.

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

ENTER: 

James Edward Pelzer
Clerk of the Court

June 25, 2008

MATTER OF METROCK v MAHEPATH

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