

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

M72336  
M/cb

REINALDO E. RIVERA, J.P.  
DAVID S. RITTER  
HOWARD MILLER  
MARK C. DILLON, JJ.

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2008-01668, 2008-01671

DECISION & ORDER ON MOTION

In the Matter of Johnna Damore, appellant,  
v Alan A. Damore, respondent.

(Docket No. F-02598-07)

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Appeals by Johnna Damore from two orders of the Family Court, Westchester County, dated October 15, 2007, and January 15, 2008, respectively. By order to show cause dated April 18, 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 March 7, 2008, issued pursuant to 22 NYCRR 670.4(a)(2). Cross motion by the appellant for leave to prosecute the above-entitled appeals as a poor person.

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 to dismiss is denied; and it is further,


ORDERED that those branches of the appellant's motion which are for the assignment of counsel, free transcripts, and the waiver of the filing fee are denied; and it is further,

ORDERED that the appellant's time to perfect the appeals by causing the original papers constituting the record on the appeal to be filed in the office of the Clerk of this court (*see* 22 NYCRR 670.9[d][2]) and by serving and filing the appellant's brief on the appeal is enlarged until August 8, 2008; and it is further,

ORDERED the branch of the motion which is for leave to proceed on the original papers is denied as unnecessary (*see* 22 NYCRR 670.9[d][1][ii]; Family Ct Act § 1116).

RIVERA, J.P., RITTER, MILLER and DILLON, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court