

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

M72569  
E/sl

PETER B. SKELOS, J.P.  
DAVID S. RITTER  
ANITA R. FLORIO  
EDWARD D. CARNI, JJ.

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2007-09576, 2008-02531

DECISION & ORDER ON

MOTION  
Bank of America, N.A. (USA), respondent,  
v Baijnath Agiwal, appellant.

(Index No. 2115/06)

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Motion by the appellant pro se to waive the filing fee on appeals from two orders of the Supreme Court, Queens County, dated September 7, 2007, and February 7, 2008, respectively, and to enlarge the time to perfect the appeals.

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

ORDERED that the branch of the motion which is to waive the filing fee is denied; and it is further,

ORDERED that the branch of the motion which is to enlarge the time to perfect the appeals is granted, and 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 a brief on the appeal is enlarged until September 2, 2008; and it is further,

ORDERED that no further enlargement of time shall be granted.

SKELOS, J.P., RITTER, FLORIO and CARNI, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

July 2, 2008

BANK OF AMERICA, N.A. (USA) v AGIWAL