

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

M72708  
E/cb

DAVID S. RITTER, J.P.  
DANIEL D. ANGIOLILLO  
JOHN M. LEVENTHAL  
ARIEL E. BELEN, JJ.

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2008-05590

DECISION & ORDER ON MOTION

Salvatore Petrozzino, respondent, v  
Roseanne Petrozzino, appellant.

(Index No. 502/06)

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Motion by the appellant, inter alia, to stay all proceedings in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Suffolk County, entered March 24, 2008, and to extend the time to serve and file the notice of appeal pursuant to CPLR 5520.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

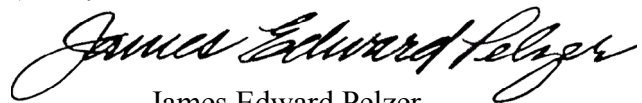
ORDERED that the branch of the motion which is to extend the time to serve and file the notice of appeal is denied (*see* CPLR 5513); and it is further,

ORDERED that on the court's own motion, the appeal is dismissed, without costs or disbursements, as untimely taken (*see* CPLR 5513[a]); and it is further,

ORDERED that the motion is otherwise denied as academic.

RITTER, J.P., ANGIOLILLO, LEVENTHAL and BELEN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

July 3, 2008

PETROZZINO v PETROZZINO