

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

M73762
E/sl

ROBERT A. SPOLZINO, J.P.
STEVEN W. FISHER
MARK C. DILLON
THOMAS A. DICKERSON, JJ.

2008-06249

DECISION & ORDER ON MOTION

Michael Henderson, respondent,
v Patricia Tamowski, appellant.

(Index No. 3451/07)

Motion by the appellant to stay enforcement of an order of the Supreme Court, Kings County, entered June 13, 2008, pending hearing and determination of an appeal therefrom.

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


ORDERED that on the court's own motion, the notice of appeal is treated as an application for leave to appeal and leave to appeal is granted; and it is further,

ORDERED that the motion is granted, and enforcement of the order is stayed pending hearing and determination of the appeal on condition that the appeal is perfected on or before August 27, 2008; and it is further,

ORDERED that in the event the appeal is not perfected on or before August 27, 2008, the court, on its own motion, may vacate the stay, or the respondent may move to vacate the stay, on three days notice.

SPOLZINO, J.P., FISHER, DILLON and DICKERSON, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

July 28, 2008

HENDERSON v TAMOWSKI