

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

M73779  
E/sl

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

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2007-08257

DECISION & ORDER ON MOTION

In the Matter of Donald Kevin Faison, appellant,  
v Tara Capozello, et al., respondents.

(Docket Nos. V-03360-05, V-03372-05)

2008-00784, 2008-00787

In the Matter of Devin Devon F. (Anonymous).  
Suffolk County Department of Social Services,  
respondent; Donald Kevin F. (Anonymous),  
appellant.

(Docket No. B-15429-07)

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Motion by the appellant to hold in abeyance an appeal from an order of the Family Court, Suffolk County, entered July 12, 2007, pending hearing and determination of appeals from two orders of the same court, both dated January 4, 2008 (Appellate Division Docket Nos. 2008-00784 and 2008-00787), or to enlarge the time to serve and file a brief.

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 hold the appeal in abeyance is denied; and it is further,

ORDERED that the branch of the motion which is to enlarge the time to perfect the appeal is granted, and the appellant's time to perfect the appeal 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

July 28, 2008

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MATTER OF FAISON v CAPOZELLO

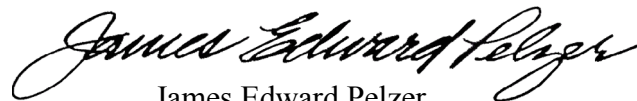
NYCRR 670.9[d][2]) and by serving and filing the appellant's brief on the appeal is enlarged until September 12, 2008; and it is further,

ORDERED that no further enlargement of time shall be granted; and it is further,

ORDERED that on the court's own motion, the appeal from the order entered July 12, 2007, will be calendared with the appeals from the orders of the Family Court, Suffolk County, dated January 4, 2008, and will be argued or submitted on the same date.

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

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer  
Clerk of the Court