

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

M75854
E/sl

FRED T. SANTUCCI, J.P.
MARK C. DILLON
THOMAS A. DICKERSON
CHERYL E. CHAMBERS, JJ.

2008-02445

DECISION & ORDER ON APPLICATION

In the Matter of Village of Spring Valley,
appellant, v N.B.W. Enterprises, Ltd.,
respondent.

(Index No. 05-4304)

Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from an order of the Supreme Court, Westchester County, entered January 22, 2008.


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

ORDERED that the appellant's notice of appeal from the order entered January 22, 2008, is treated as an application for leave to appeal to this court and leave to appeal is granted (*see* CPLR 5701[c]); and it is further,

ORDERED that the application is granted and the appellant's time to perfect the appeal is enlarged until November 6, 2008, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date.

SANTUCCI, J.P., DILLON, DICKERSON and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

October 6, 2008

MATTER OF VILLAGE OF SPRING VALLEY v N.B.W. ENTERPRISES, LTD.