

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

M76454
M/cb

ROBERT A. LIFSON, J.P.
DAVID S. RITTER
HOWARD MILLER
RUTH C. BALKIN, JJ.

2008-02520

DECISION & ORDER ON MOTION

In the Matter of Yvonne Lowe-Bynoe,
respondent, v Larry Lowe, appellant.

(Docket No. F-03204-06)

Appeal by Larry Lowe from an order of the Family Court, Westchester County, dated February 7, 2008. By order to show cause dated September 5, 2008, as amended September 9, 2008, the parties or their attorneys were directed to show cause why an order should or should not be made and entered dismissing the appeal in the above-entitled proceeding for failure to comply with a scheduling order dated July 14, 2008, issued pursuant to 22 NYCRR 670.4(a)(2).

Now on the court's own motion, and no papers having been filed in opposition or relation thereto, it is

ORDERED that the appeal is dismissed, without costs or disbursements, for failure to comply with a scheduling order dated July 14, 2008, issued pursuant to 22 NYCRR 670.4(a)(2).

LIFSON, J.P., RITTER, MILLER and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 29, 2008

MATTER OF LOWE-BYNOE v LOWE