

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

M76462  
E/sl

ROBERT A. SPOLZINO, J.P.  
DAVID S. RITTER  
FRED T. SANTUCCI  
EDWARD D. CARNI, JJ.

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2008-02196

DECISION & ORDER ON MOTION

In the Matter of Hector Torres, et al., petitioners-respondents, v Village of Haverstraw, et al., respondents, Town of Haverstraw, et al., appellants.

(Index No. 07-4105)

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Motion by the Town of Haverstraw, Howard T. Phillips, Jr., Isidro Cancel, Jay Hood, Vincent J. Gamboli, and John Ramundo for leave to appeal to this court from an order of the Supreme Court, Rockland County, dated January 2, 2008. Application by Town of Haverstraw, Howard T. Phillips, Jr., Isidro Cancel, Jay Hood, Vincent J. Gamboli, and John Ramundo pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect the appeal.

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


ORDERED that the motion is denied; and it is further,

ORDERED that on the court's own motion, the appeal purportedly taken as of right is dismissed, without costs or disbursements; and it is further,

ORDERED that the application is denied as academic.

SPOLZINO, J.P., RITTER, SANTUCCI and CARNI, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 1, 2008

MATTER OF TORRES v VILLAGE OF HAVERSTRAW