

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

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E/sl

STEVEN W. FISHER, J.P.
MARK C. DILLON
WILLIAM E. McCARTHY
ARIEL E. BELEN, JJ.

2006-07599

The People, etc., respondent,
v Elm Neurological Care, P.C., appellant.

DECISION & ORDER ON MOTION
Motion to Dismiss Appeal

(Ind. No. 05-381)

Motion by the respondent to dismiss as abandoned an appeal from an order of the County Court, Westchester County, dated April 11, 2006.

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

ORDERED that the motion is granted and the appeal is dismissed (*see* 22 NYCRR 670.8[f]; CPL 470.60[1]).

FISHER, J.P., DILLON, McCARTHY and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 8, 2008

PEOPLE v ELM NEUROLOGICAL CARE, P.C.