

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

M76846  
E/sl

STEVEN W. FISHER, J.P.  
JOSEPH COVELLO  
WILLIAM E. McCARTHY  
JOHN M. LEVENTHAL, JJ.

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2008-08720

DECISION & ORDER ON MOTION

Wells Fargo Bank, N.A., etc., respondent,  
v Johnnie Stephens, appellant, et al., defendants.

(Index No. 2655-06)

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Motion by the appellant, in effect, to stay his eviction from the subject premises pending hearing and determination of an appeal from an order of the Supreme Court, Suffolk County, dated June 17, 2008.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied.

FISHER, J.P., COVELLO, McCARTHY and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 6, 2008

WELLS FARGO BANK, N.A. v STEPHENS