

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

M76877  
E/sl

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

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2008-00533

DECISION & ORDER ON MOTION  
Motion to Dismiss Appeal

Ada Lopez, et al., appellants,  
v County of Suffolk, et al., respondents.

(Index No. 4291-05)

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Separate motions by the respondent Suffolk County and the respondent Jose L. Hernandez to dismiss an appeal from an order of the Supreme Court, Suffolk County, dated October 25, 2007, for failure to timely perfect.

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

ORDERED that the motions are granted and the appeal is dismissed, without costs or disbursements, for failure to timely perfect in accordance with the rules of this court (*see* 22 NYCRR 670.8[e]).

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

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 8, 2008

LOPEZ v COUNTY OF SUFFOLK