

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

M77498  
E/sl

PETER B. SKELOS, J.P.  
DANIEL D. ANGIOLILLO  
RUTH C. BALKIN  
ARIEL E. BELEN, JJ.

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2008-09041

DECISION & ORDER ON MOTION

Robert Capurso, respondent,  
v Christine Capurso, appellant.

(Index No. 18637-05)

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Motion by the appellant, inter alia, to stay enforcement of an order of the Supreme Court, Suffolk County, dated September 15, 2008, pending hearing and determination therefrom.

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


ORDERED that the branch of the motion which is to stay enforcement of so much of the order dated September 15, 2008, as appointed the respondent as receiver of the marital residence and directed the sale of the marital residence is granted, and enforcement of so much of the order dated September 15, 2008, as appointed the respondent as receiver of the marital residence and directed the sale of the marital residence is stayed pending hearing and determination of the appeal on condition that the appeal is perfected on or before November 21, 2008; and it is further,

ORDERED that in the event the appeal is not perfected on or before November 21, 2008, the court, on its own motion, may vacate the stay, or the respondent may move to vacate the stay, on three days notice; and it is further,

ORDERED that the motion is otherwise denied.

SKELOS, J.P., ANGIOLILLO, BALKIN and BELEN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 22, 2008

CAPURSO v CAPURSO