

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

M77516
S/sl

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

2008-09217

DECISION & ORDER ON MOTION

Maggie Chow, respondent,
v Glenn Ngan, appellant.

(Index No. 16281/05)

Appeal by Glenn Ngan from an order of the Supreme Court, Queens County, dated September 2, 2008.

Now, on the court's own motion, it is

ORDERED that the appeal is dismissed, without costs or disbursements, as the order is not appealable as of right and leave to appeal has not been granted (*see* CPLR 5701), without prejudice to obtaining an interlocutory judgment and appealing from the interlocutory judgment (*see* CPLR 2219; 4213; 5011).

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

ENTER:



James Edward Pelzer
Clerk of the Court

October 23, 2008

CHOW v NGAN