

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

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M/cb

2008-04533, 2008-04535

SCHEDULING ORDER

In the Matter of Jehuda Ish-Shalom, appellant,
v Veronica Wittmann, respondent

(Docket No. F-12895-06)

Appeals by Jehuda Ish-Shalom from two orders of the Family Court, Westchester County, dated April 4, 2008, and April 23, 2008, respectively. By decision and order on motion of this court dated October 24, 2008, the appellant's motion for leave to reargue a prior motion to prosecute the above-entitled appeals as a poor person including the assignment of counsel, free transcripts, and the waiver of the filing fee, was denied. Pursuant to § 670.4(a) of the Rules of this court (22 NYCRR 670.4[a]), it is

ORDERED that the appeals in the above-entitled proceeding shall be perfected within 60 days after the receipt by the appellant of the transcripts of the minutes of the proceedings in the Family Court, and the appellant shall notify this court by letter of the date the transcripts are received, or, in cases where there are no minutes of proceedings to be transcribed, within 60 days of the date of this scheduling order; and it is further,

ORDERED that within 15 days after the date of this scheduling order, the appellant shall file in the office of the Clerk of this court one of the following:

- (1) an affidavit or affirmation stating that there are no minutes of the Family Court proceeding to be transcribed for the appeals; or
- (2) if there are such minutes, an affidavit or affirmation that the transcripts have been received, and indicating the date received; or
- (3) if the transcripts have not been received, an affidavit or affirmation stating that it has been ordered and paid for, the date thereof and the date by which the transcripts are expected; or
- (4) an affidavit or an affirmation withdrawing the appeals; and it is further,

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ORDERED that if none of the above actions described in (1), (2), (3), or (4), above, has been taken within 15 days of the date of this scheduling order, the Clerk of the court shall issue an order to all parties to the appeals to show cause why the appeals should or should not be dismissed.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large initial "J".

James Edward Pelzer
Clerk of the Court