

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

M77836  
E/sl

REINALDO E. RIVERA, J.P.  
ROBERT A. LIFSON  
RANDALL T. ENG  
CHERYL E. CHAMBERS, JJ.

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2008-06031, 2008-07196

DECISION & ORDER ON MOTION

In the Matter of Board of Managers Park  
Lane Condominium, respondent, v Assessor  
of County of Nassau, et al., appellants.

(Index No. 403538/05)

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Motion by the Assessor of County of Nassau, Board of Assessors and Assessment Review Commission of County of Nassau for leave to appeal to this court from two orders of the Supreme Court, Nassau County, entered April 4, 2008, and dated June 19, 2008, respectively, to confirm that an automatic stay is in effect pursuant to CPLR 5519(a), and to stay an inquest in the above-entitled action pending hearing and determination of the appeals. Cross motion by the Board of Mangers Park Lane Condominium to vacate any automatic stay that is in effect pursuant to CPLR 5519(a)

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 for leave to appeal is denied; and it is further,

ORDERED that on the court's own motion, the appeals purportedly taken as of right are dismissed, without costs or disbursements; and it is further,

ORDERED that the branches of the motion which are to confirm that an automatic stay is in effect pursuant to CPLR 5519(a) and to stay an inquest in the above-entitled action pending hearing and determination of the appeals, as well as the cross motion, are denied as academic.

RIVERA, J.P., LIFSON, ENG and CHAMBERS, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 29, 2008

MATTER OF BOARD OF MANAGERS PARK LANE CONDOMINIUM v ASSESSOR  
OF COUNTY OF NASSAU