

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

M77994
M/cb

2008-06268

SCHEDULING ORDER

People ex rel. Samantha Miller, o/b/o
Danny S. (Anonymous), respondent v
Suffolk County Department of Social
Services, etc., appellant; Robert C. Mitchell,
etc., nonparty-appellant.

Separate appeals by the Suffolk County Department of Social Services and the attorney for the child from a judgment of the Supreme Court, Suffolk County, dated June 4, 2008. 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 action shall be perfected within 60 days after the appellants receive the transcripts of the minutes of the action in the Supreme Court, and the appellants shall notify this court by letter of the date the transcripts are received. In cases where there are no minutes to be transcribed, the appeals in the above-entitled action shall be perfected within 60 days of the date of this scheduling order; and it is further,

ORDERED that within 30 days after the date of this scheduling order, the appellants 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 in the Supreme Court action to be transcribed for the appeals; or
- (2) if there are such minutes, an affidavit or affirmation that the transcript has been received, and indicating the date that it was received; or
- (3) if the transcript has 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 transcript is expected; or

November 6, 2008

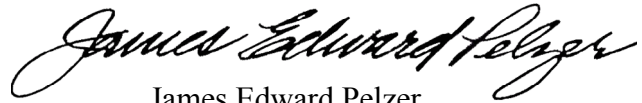
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PEOPLE EX REL. MILLER, o/b/o S. (ANONYMOUS) v SUFFOLK COUNTY
DEPARTMENT OF SOCIAL SERVICES

(4) an affidavit or an affirmation withdrawing the appeals; and it is further,

ORDERED that if none of the above actions described in (1), (2), (3), or (4) above, has been taken within 30 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, flowing style.

James Edward Pelzer
Clerk of the Court

The Case Manager assigned to this case is Ms. Vazquez. Please contact her at 718-722-6488 with any questions.