

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

M78287
E/cb

A. GAIL PRUDENTI, P.J.
FRED T. SANTUCCI
WILLIAM E. McCARTHY
CHERYL E. CHAMBERS, JJ.

2008-07428

DECISION & ORDER ON MOTION

In the Matter of Eric Swanton, respondent,
v Jennifer Swanton, appellant.

(Index No. 5029/03)

On the court's own motion, it is

ORDERED that its order on certification dated September 30, 2008, on an appeal by Jennifer Swanton from an order of the Supreme Court, Richmond County, dated July 18, 2008, in the above-entitled matter is amended by adding thereto, before the last paragraph, the following paragraphs:

ORDERED that Jennifer Swanton's appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the briefs of the parties, and the attorney for the child, if any. The parties are directed to file nine copies of their respective briefs and to serve one copy on each other (22 NYCRR 670.9[d][1][ii]); and it is further,

ORDERED that the stenographer(s) and/or the transcription service(s) is/are required promptly to make and certify two transcripts of the proceedings, if any, except for those minutes previously transcribed and certified (22 NYCRR 671.9); in the case of stenographers, both transcripts shall be filed with the clerk of the Supreme Court, and the clerk of the Supreme Court shall furnish one of such certified transcripts to Jennifer Swanton's counsel, without charge; in the case of transcription services, one transcript shall be filed with the clerk of the Supreme Court and one transcript shall be delivered to the assigned counsel. Jennifer Swanton's counsel is directed to provide copies of said transcripts to all of the other parties to the appeal, including the attorney for the child, if any, when counsel serves Jennifer Swanton's brief upon those parties; and it is further,

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ORDERED that Jennifer Swanton's counsel is directed to serve a copy of this order upon the clerk of the court from which the appeal is taken; and it is further,

PRUDENTI, P.J., SANTUCCI, McCARTHY and CHAMBERS, JJ., concur.

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

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