

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

M78382  
E/sl

WILLIAM F. MASTRO, J.P.  
ROBERT A. LIFSON  
EDWARD D. CARNI  
WILLIAM E. McCARTHY, JJ.

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2008-02929

DECISION & ORDER ON MOTION

In the Matter of Mary Loos, respondent,  
v Wayne Miller, appellant.

(Docket No. F-2268-05)

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Motion by the appellant to enlarge the time to perfect an appeal from an order of the Family Court, Rockland County, dated January 30, 2008.


Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is denied; and it is further,

ORDERED that, on the court's own motion, the appeal is dismissed as academic, without costs or disbursements, on the ground that the order dated January 30, 2008, was vacated by an order of the same court dated May 1, 2008.

MASTRO, J.P., LIFSON, CARNI and McCARTHY, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

November 14, 2008

MATTER OF LOOS v MILLER