

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

M78690  
M/cb

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2008-05049

ORDER TO SHOW

CAUSE

In the Matter of Micol McNair, appellant,  
v Monique Mima, respondent.

(Docket No. V-02709-01)

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Appeal by Micol McNair from an order of the Family Court, Dutchess County, dated January 22, 2008. The transcripts were received by the appellant on or about September 11, 2008, and pursuant to the scheduling order of this court dated June 12, 2008, the appeal in the above-entitled proceeding was to be perfected within 60 days of the date of the receipt of the transcripts. The appeal has not been perfected. Pursuant to § 670.4(a)(5) of the rules of this court (22 NYCRR 670.4[a][5]), it is

ORDERED that the parties or their attorneys are directed to show cause before this court why an order should or should not be made and entered dismissing the appeal in the above-entitled proceeding for failure to comply with the scheduling order dated June 12, 2008, by each filing an affirmation or affidavit on that issue in the office of the Clerk of this court and serving one copy of the same on each other on or before December 5, 2008; and it is further,

ORDERED that the Clerk of this court, or his designee, is directed to serve a copy of this order to show cause upon the parties or their attorneys by regular mail.

ENTER:



James Edward Pelzer  
Clerk of the Court

November 19, 2008

MATTER OF McNAIR v MIMA