

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

M78745
E/sl

REINALDO E. RIVERA, J.P.
MARK C. DILLON
JOSEPH COVELLO
WILLIAM E. McCARTHY, JJ.

2008-03274

DECISION & ORDER ON MOTION

In the Matter of Rafaela Ortiz, petitioner,
v Office of Children & Family Services, et al.,
respondents.

(Index No. 80351/07)

Motion by the petitioner pro se in a proceeding pursuant to CPLR article 78, which was transferred to this court by an order of the Supreme Court, Richmond County, dated February 13, 2008, for leave to reargue those branches of his prior motion which were for leave to prosecute the proceeding on the original papers and for the assignment of counsel, which were determined by decision and order on motion dated September 10, 2008, and to enlarge the time to perfect the proceeding.

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 branches of the motion which are for leave to prosecute the proceeding on the original papers and for the assignment of counsel are denied; and it is further,

ORDERED that the branch of the motion which is to enlarge the time to perfect the proceeding is granted, the time to perfect the proceeding is enlarged until January 20, 2009, and the petitioner's record or appendix and brief must be served and filed on or before that date.

RIVERA, J.P., DILLON, COVELLO and McCARTHY, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

November 19, 2008

MATTER OF ORTIZ v OFFICE OF CHILDREN & FAMILY SERVICES