

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

M78863
E/sl

WILLIAM F. MASTRO, J.P.
DANIEL D. ANGIOLILLO
EDWARD D. CARNI
RANDALL T. ENG, JJ.

2008-08591, 2008-09431

DECISION & ORDER ON MOTION

In the Matter of Mike Lane, petitioner,
v Esther Chaya Liani, respondent;
Janet Neustaetter, nonparty-appellant.

(Docket Nos. V-14723-06, V-14724-06,
V-14725-06, V-036360-05, V-036361-05,
V-036362-05)

Motion by the nonparty-appellant to recall and vacate a decision and order on motion of this court dated September 30, 2008, which dismissed an appeal from an order of the Family Court, Kings County, dated August 26, 2008, on the ground that the order was not appealable as of right and leave to appeal had not been granted, and to reinstate the appeal, and for leave to appeal to this court from an order of the Family Court, Kings County, dated September 19, 2008.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

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

ORDERED that on the court's own motion, the appeal purportedly taken as of right from the order dated September 19, 2008, is dismissed, without costs or disbursements.

MASTRO, J.P., ANGIOLILLO, CARNI and ENG, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 21, 2008

MATTER OF LANE v LIANI