

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

M78865
E/sl

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
DAVID S. RITTER
HOWARD MILLER, JJ.

2002-06984, 2002-10411

DECISION & ORDER ON MOTION

Matter of Jack Sterngass, respondent-
appellant, v Town Board of Town of Clarkstown,
et al., appellants-respondents.
(Matter No. 1)

In the Matter of Leather Stocking Antiques, Inc.,
et al., respondents-appellants, v Town of Clarkstown,
et al., appellants-respondents.
(Matter No. 2)

In the Matter of Leather Stocking Antiques, Inc.,
et al., respondents-appellants, v Zoning Administrator
of Town of Clarkstown, et al., appellants-respondents.
(Matter No. 3)

(Index Nos. 99-6929, 99-6930, 00-7281)

Motion by Rubin Sterngass to modify the remittitur in a decision and order of this court dated August 9, 2004, which determined appeals and a cross appeal from an order and judgment (one paper) of the Supreme Court, Rockland County, entered June 24, 2002, and an appeal from an order of the same court dated September 23, 2002, and to dismiss a certain criminal proceeding against him in the Justice Court in the Town of Clarkstown.

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

ORDERED that the motion is denied.

PRUDENTI, P.J., MASTRO, RITTER and MILLER, JJ., concur.

ENTER:



James Edward Pelzer

Clerk of the Court

November 21, 2008

MATTER OF STERNGASS v TOWN OF BOARD OF TOWN OF CLARKSTOWN