

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

M78886  
E/cb

ROBERT A. SPOLZINO, J.P.  
MARK C. DILLON  
EDWARD D. CARNI  
JOHN M. LEVENTHAL, JJ.

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2008-01890

Paulette Pivawer, et al., appellants,  
v Nicotra 1100, LLC, et al., respondents.

DECISION & ORDER ON MOTION  
Motion to Dismiss Appeal

(Index No. 102430/05)

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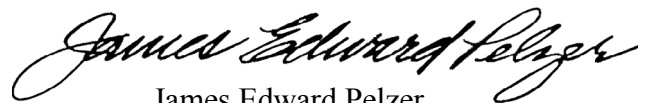
Motion by the respondents to dismiss an appeal from an order of the Supreme Court, Richmond County, dated December 13, 2007, for failure to timely perfect.

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 granted and the appeal is dismissed, without costs or disbursements, for failure to timely perfect in accordance with the rules of this court (*see* 22 NYCRR 670.8[e]).

SPOLZINO, J.P., DILLON, CARNI and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

November 24, 2008

PIVAWER v NICOTRA 1100, LLC