

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

M78914  
S/sl

WILLIAM F. MASTRO, J.P.  
HOWARD MILLER  
RUTH C. BALKIN  
WILLIAM E. McCARTHY, JJ.

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2008-03469

DECISION & ORDER ON MOTION

Erin Ednie, respondent,  
v Marie Resnick, et al., appellants.

(Index No. 23085-07)

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Appeal by the defendants from an order of the Supreme Court, Suffolk County, dated March 26, 2008. The appeal has not been perfected.

Now, on the court's own motion, it is

ORDERED that the appeal is dismissed, without costs or disbursements, for failure to perfect in accordance with the rules of this court (*see* 22 NYCRR 670.8[e]); and it is further,

ORDERED that the stay granted by decision and order on motion of this court dated May 8, 2008, is vacated forthwith.

MASTRO, J.P., MILLER, BALKIN and McCARTHY, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

November 24, 2008

EDNIE v RESNICK