

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

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E/sl

STEVEN W. FISHER, J.P.
ANITA R. FLORIO
EDWARD D. CARNI
CHERYL E. CHAMBERS, JJ.

2008-10203

DECISION & ORDER ON MOTION

In the Matter of Greta Shternfeld, appellant,
Brian David McKenna, respondent.

(Docket No. V-17263/07)

Motion by the appellant to stay enforcement of an order of the Family Court, Kings County, dated October 24, 2008, pending hearing and determination of an appeal therefrom.

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

ORDERED that on the court's own motion, the appeal is dismissed, without costs or disbursements, on the ground that no appeal lies as of right from nonfinal order in a proceeding pursuant to Family Court Article 6, part 3 (*see* CPLR 5521[b]; Family Ct Act § 1112); and it is further,

ORDERED that the motion is denied as academic.

FISHER, J.P., FLORIO, CARNI and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 28, 2008

MATTER OF SHTERNFELD v McKENNA