

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

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M/cb

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

2008-08575

DECISION & ORDER ON MOTION

In the Matter of Viergemaine Olgar C. (Anonymous),
a/k/a Olgar Viergemaine C. (Anonymous), a/k/a
Olgar C. (Anonymous), a/k/a Olga C. (Anonymous).
MercyFirst, respondent; Jesse S. (Anonymous), a/k/a
Jesse C. (Anonymous), et al., appellants

(Docket No. B-11493-06)

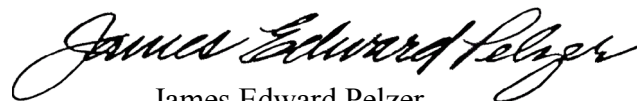
Separate appeals by Jesse S. and Herbert C. from an order of the Family Court, Kings County, dated August 4, 2008. By order to show cause dated November 10, 2008, the parties or their attorneys were directed to show cause why an order should or should not be made and entered dismissing the appeal by Jesse S. in the above-entitled proceeding for failure to comply with a scheduling order dated September 26, 2008, issued pursuant to 22 NYCRR 670.4(a)(2).

Now on the court's own motion, and the papers filed in opposition or relation thereto, it is

ORDERED that the appeal by Jesse S. is dismissed, without costs or disbursements, for failure to comply with a scheduling order dated September 26, 2008, issued pursuant to 22 NYCRR 670.4(a)(2).

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

ENTER:



James Edward Pelzer
Clerk of the Court

December 3, 2008

MATTER OF C. (ANONYMOUS), VIERGEMAIN E OLGAR, a/k/a C. (ANONYMOUS),
OLGAR VIERGEMAIN E, a/k/a C. (ANONYMOUS), OLGAR, a/k/a C. (ANONYMOUS),
OLGA