

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

M79261
E/sl

REINALDO E. RIVERA, J.P.
MARK C. DILLON
JOSEPH COVELLO
WILLIAM E. McCARTHY, JJ.

2008-07242

DECISION & ORDER ON MOTION

In the Matter of James R. Yasus, appellant-respondent, v Dana E. Yasus, respondent-appellant; Adrienne Flipse Hausch, nonparty-appellant.
(Proceeding No. 1)

In the Matter of Dana E. Yasus, respondent-appellant, v James R. Yasus, appellant-respondent, Adrienne Flipse Hausch, nonparty-appellant.
(Proceeding No. 2)

(Docket Nos. V-2210-06, V-2211-06)

Appeal by the father, James R. Yasus, cross appeal by the mother, Dana E. Yasus, and separate appeal by the attorney for the child from an order of the Family Court, Nassau County, dated June 23, 2008. By order to show cause dated October 6, 2008, the parties or their attorneys were directed to show cause before this court why an order should or should not be made and entered dismissing the appeal by James R. Yasus in the above-entitled proceeding for failure to comply with a scheduling order dated August 15, 2008, issued pursuant to § 670.4(a)(2) of the rules of this court (22 NYCRR 670.4[a][2]).

Now, on the court's own motion, and the papers filed in response to the order to show cause, it is

December 5, 2008


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ORDERED that the motion to dismiss the appeal is denied.

RIVERA, J.P., DILLON, COVELLO and McCARTHY, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court