

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

M79395
E/sl

WILLIAM F. MASTRO, J.P.
HOWARD MILLER
EDWARD D. CARNI
WILLIAM E. McCARTHY, JJ.

2008-10198

DECISION & ORDER ON MOTION

In the Matter of Megan R. W. (Anonymous),
a/k/a Megan W. (Anonymous), a/k/a Megan
M. (Anonymous).
Little Flower Children Services, et al., respondents;
Connie W. (Anonymous), et al., appellants.

(Docket No. B-1763-07)

Motion by the appellant Connie W., in effect, to stay all adoption proceedings concerning the subject child, pending hearing and determination of an appeal from an order of the Family Court, Kings County, dated October 1, 2008. Cross motion by Little Flower Children Services to dismiss the appeal by Connie W. on the ground that no appeal lies from an order entered upon the default of the appealing party.


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

ORDERED that the motion is granted to the extent that finalization of the adoption of the subject child is stayed pending hearing and determination of the appeal, and the motion is otherwise denied; and is further,

ORDERED that the cross motion which is denied.

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

ENTER:


James Edward Pelzer
Clerk of the Court

December 4, 2008

MATTER OF W. (ANONYMOUS), MEGAN R., a/k/a W. (ANONYMOUS), MEGAN, a/k/a
M. (ANONYMOUS), MEGAN