

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

M79397
E/sl

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

2008-09482

DECISION & ORDER ON MOTION

Opteum Financial Services, LLC, respondent,
v John Duffy, appellant.

(Index No. 10252/06)

Motion by the appellant to stay a certain warrant of eviction dated October 9, 2008, pending hearing and determination of an appeal from an order of the Supreme Court, Nassau County, dated September 18, 2008, and for leave to prosecute the appeal as a poor person.

Upon the papers filed in support of the motion and no papers having been filed in opposition or relation thereto, it is

ORDERED that the motion is denied.

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

ENTER:



James Edward Pelzer
Clerk of the Court

December 4, 2008

OPTEUM FINANCIAL SERVICES, LLC v DUFFY