

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

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2008-07565

ORDER ON APPLICATION  
Application to Withdraw Appeal

Benito Jimenez, respondent, v New York  
City Transit Authority, appellant.

(Index No. 2203/05)

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Application by the appellant to withdraw an appeal from a judgment of the Supreme Court, Kings County, entered July 13, 2008.

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

ORDERED that the application is granted and the appeal is marked withdrawn.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 4, 2008

JIMENEZ v NEW YORK CITY TRANSIT AUTHORITY