

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

M79605
E/sl

A. GAIL PRUDENTI, P.J.
MARK C. DILLON
RANDALL T. ENG
JOHN M. LEVENTHAL, JJ.

2008-02070

DECISION & ORDER ON MOTION

In the Matter of Andrew Green, appellant,
v Brian Fischer, etc., respondent.

(Index No. 6881/07)

Motion by the respondent to dismiss an appeal from a judgment of the Supreme Court, Dutchess County, dated January 29, 2008, on the ground that it has been rendered academic.

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

ORDERED that the motion is denied.

PRUDENTI, P.J., DILLON, ENG and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

December 12, 2008

MATTER OF GREEN v FISCHER