

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

M79762  
E/sl

REINALDO E. RIVERA, J.P.  
DANIEL D. ANGIOLILLO  
THOMAS A. DICKERSON  
CHERYL E. CHAMBERS, JJ.

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2008-09041

DECISION & ORDER ON MOTION

Robert Capurso, respondent,  
v Christine Capurso, appellant.

(Index No. 18637-05)

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Motion by the appellant on an appeal from an order of the Supreme Court, Suffolk County, dated September 15, 2008, to waive the motion filing fee and to waive the requirements of 22 NYCRR 670.10.2(f) regarding certification of the record on appeal.

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

ORDERED that the branch of the motion which is to waive the motion filing fee is denied; and it is further,

ORDERED that the motion is otherwise dismissed with leave to renew upon payment of the motion filing fee.

RIVERA, J.P., ANGIOLILLO, DICKERSON and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 12, 2008

CAPURSO v CAPURSO