

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

M79769  
S/sl

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

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2008-06478

DECISION & ORDER ON APPLICATION

In the Matter of Hamptonburgh Properties,  
Corp., appellant, v Town of Hamptonburgh  
Planning Board, et al., respondents.

(Index No. 07-05834)

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Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from an order of the Supreme Court, Orange County, dated May 29, 2008.


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

ORDERED that the appellant's notice of appeal is treated as an application for leave to appeal, and leave to appeal is granted (*see* CPLR 75701[c]); and it is further,

ORDERED that the application is granted and the appellant's time to perfect the appeal is enlarged until March 2, 2009, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date.

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

ENTER:

  
James Edward Pelzer  
Clerk of the Court

December 12, 2008

MATTER OF HAMPTONBURGH PROPERTIES, CORP. v TOWN OF HAMPTONBURGH  
PLANNING BOARD