

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

M79836
E/sl

ROBERT A. SPOLZINO, J.P.
STEVEN W. FISHER
EDWARD D. CARNI
WILLIAM E. McCARTHY, JJ.

2008-10424

DECISION & ORDER ON MOTION

Bank of New York, etc., plaintiff,
v Nathaniel Robinson, Jr., et al., defendants.

(Index No. 2368/00)

Motion by Nathaniel Robinson, Jr., for leave to appeal to this court from an order of the Supreme Court, Nassau County, dated November 17, 2008, and to stay the foreclosure sale of the subject premises pending hearing and determination of the appeal.

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 branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that the motion is otherwise denied as academic.

SPOLZINO, J.P., FISHER, CARNI and McCARTHY, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

December 12, 2008

BANK OF NEW YORK v ROBINSON