

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

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PETER B. SKELOS, J.P.
MARK C. DILLON
RUTH C. BALKIN
WILLIAM E. McCARTHY, JJ.

2008-10217

DECISION & ORDER ON MOTION

Esther York, plaintiff,
v Joseph York, defendant.

(Index No. 11853/98)

Motion by the plaintiff for leave to appeal to this court from an order of the Supreme Court, Queens County, dated October 10, 2008, and, inter alia, to hold the defendant in contempt for failing to comply with an order of the same court dated July 30, 2008.

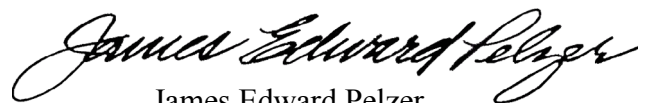
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

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

ORDERED that the branch of the motion which is to hold the defendant in contempt is denied without prejudice to seeking the same relief by filing a notice of motion in the Supreme Court, Queens County.

SKELOS, J.P., DILLON, BALKIN and McCARTHY, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

December 12, 2008

YORK v YORK