

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

M80051  
E/cb

PETER B. SKELOS, J.P.  
MARK C. DILLON  
WILLIAM E. McCARTHY  
RANDALL T. ENG, JJ.

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2008-04292

Ana D. Barrera, etc., et al., appellants,  
v Edna Martinez, respondent.

DECISION & ORDER ON MOTION  
Motion to Dismiss Appeal

(Index No. 14333/05)

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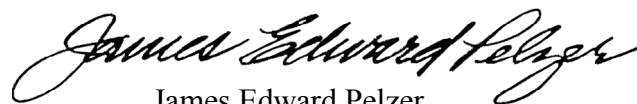
Motion by the respondent to dismiss an appeal from an order of the Supreme Court, Nassau County, entered April 9, 2008, for failure to timely perfect the same.

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 granted and the appeal is dismissed, without costs or disbursements, for failure to timely perfect the same in accordance with the rules of this court (*see* 22 NYCRR 670.8[e]).

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

ENTER:



James Edward Pelzer  
Clerk of the Court

December 18, 2008

BARRERA v MARTINEZ