

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

M80156  
E/sl

STEVEN W. FISHER, J.P.  
RUTH C. BALKIN  
WILLIAM E. McCARTHY  
JOHN M. LEVENTHAL, JJ.

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2008-04445

DECISION & ORDER ON MOTION

In the Matter of Akieba Mc. (Anonymous),  
appellant.

(Docket No. D-5537-07)

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Motion by the respondent to dismiss an appeal from an order of the Family Court, Nassau County, dated March 25, 2008, on the ground that the appellant is not aggrieved by the order appealed from, or to enlarge the time to serve and file a brief.

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


ORDERED that the branch of the motion which is to dismiss the appeal is denied without prejudice to raising the issue in the respondent's brief; and it is further,

ORDERED that the branch of the motion which is to enlarge the respondent's time to serve and file a brief is granted, the respondent's time to serve and file a brief is enlarged until January 5, 2009, and the respondent's brief must be served and filed on or before that date; and it is further,

ORDERED that no further enlargement of time shall be granted.

FISHER, J.P., BALKIN, McCARTHY and LEVENTHAL, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

December 19, 2008

MATTER OF Mc. (ANONYMOUS), AKIEBA