

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

M80269
E/sl

REINALDO E. RIVERA, J.P.
FRED T. SANTUCCI
EDWARD D. CARNI
THOMAS A. DICKERSON, JJ.

2008-02164, 2008-02533, 2008-04863,
2008-06113, 2008-07215, 2008-09870

DECISION & ORDER ON MOTION

Credigy Receivables, Inc., respondent,
v Bajnath Agiwal, appellant.

(Index No. 18945/06)

Motion by the appellant for leave to prosecute appeals from five orders of the Supreme Court, Queens County, entered February 14, 2008, May 15, 2008, June 2, 2008, July 22, 2008, and September 11, 2008, and a judgment of the same court, entered February 25, 2008, on the original papers, to waive the filing fee, to consolidate the appeals, and to enlarge the time to perfect the appeals.

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 prosecute the appeals from the orders entered May 15, 2008 (Appellate Division Docket No. 2008-04863), June 2, 2008 (Appellate Division Docket No. 2008-06113), July 22, 2008 (Appellate Division Docket No. 2008-07215), and September 11, 2008 (Appellate Division Docket No. 2008-09870), on the original papers is granted, and the appeals will be heard on the original papers (including the transcript of the proceedings, if any) and on the briefs of the parties, who are directed to file nine copies of their respective briefs and to serve one copy on each other; and it is further,

ORDERED that the branch of the motion which is for leave to prosecute the appeals from the order entered November 8, 2007 (Appellate Division Docket No. 2008-02164), and the judgment entered February 25, 2008 (Appellate Division Docket No. 2008-02533) on the original papers is denied as unnecessary as that relief was previously granted by decision and order on motion dated April 25, 2008; and it is further,

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ORDERED that the branch of the motion which is to waive the filing fee is denied; and it is further,


ORDERED that the branch of the motion which is to consolidate the appeals is denied as unnecessary as the appeals may be consolidated as of right (*see* 22 NYCRR 670.7[c][1]); and it is further,

ORDERED that the branch of the motion which is to enlarge the time to perfect the appeals is granted to the extent that the appellant's time to perfect the appeals from the orders entered February 14, 2008 (Appellate Division Docket No. 2008-02164), May 15, 2008 (Appellate Division Docket No. 2008-04863), and June 2, 2008 (Appellate Division Docket No. 2008-06113), as well as the appeal from the judgment entered February 25, 2008 (Appellate Division Docket No. 2008-02533), by causing the original papers constituting the record on the appeals to be filed in the office of the Clerk of this court (*see* 22 NYCRR 670.9[d][2]) and by serving and filing his brief on the appeals is enlarged until January 21, 2009, and that branch of the motion is otherwise denied as premature; and it is further,

ORDERED that no further enlargement of time shall be granted.

RIVERA, J.P., SANTUCCI, CARNI and DICKERSON, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court