

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

M80320
E/sl

A. GAIL PRUDENTI, P.J.
FRED T. SANTUCCI
WILLIAM E. McCARTHY
CHERYL E. CHAMBERS, JJ.

2007-10546

DECISION & ORDER ON MOTION

Ellen Buljeta, respondent,
v Don Fuchs, appellant.

(Index No. 04-4354)

Motion by the appellant to enlarge the time to perfect an appeal from a judgment of the Supreme Court, Orange County, entered October 10, 2007, for the assignment of counsel, and to waive the filing fee.


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

ORDERED that the motion is denied; and it is further,

ORDERED that on the court's own motion, the appeal is dismissed, without costs or disbursements, for failure to timely perfect in accordance with the rules of this court (*see* 22 NYCRR 670.8[e]).

PRUDENTI, P.J., SANTUCCI, McCARTHY and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

December 23, 2008

BULJETA v FUCHS