

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

M80321
E/sl

A. GAIL PRUDENTI, P.J.
ROBERT A. SPOLZINO
WILLIAM E. McCARTHY
JOHN M. LEVENTHAL, JJ.

2008-01578

DECISION & ORDER ON MOTION

Allstate Insurance Company, respondent,
v Jose R. Mendez, P.C., appellant.

(Index No. 21026/03)

Motion by the respondent to dismiss an appeal from an order of the Supreme Court, Queens County, entered January 9, 2008.

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

ORDERED that the motion is denied as academic as the appeal was dismissed by decision and order on motion of this court dated December 8, 2008.

PRUDENTI, P.J., SPOLZINO, McCARTHY and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

December 24, 2008

ALLSTATE INSURANCE COMPANY v JOSE R. MENDEZ, P.C.