

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

M80468
S/sl

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

2008-11309

DECISION & ORDER ON MOTION

Elrick G. St. Clair, respondent,
v Busisiwe Masondo, appellant.

(Index No. 23513/07)

Appeal by Busisiwe Masondo from an order of the Supreme Court, Kings County, dated November 12, 2008.

Now, on the court's own motion, it is

ORDERED that the appeal is dismissed, without costs or disbursements, as the order is not appealable as of right and leave to appeal has not been granted (*see* CPLR 5701).

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

ENTER:



James Edward Pelzer
Clerk of the Court

December 31, 2008

ST. CLAIR v MASONDO