

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

M80548  
M/cb

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2008-04757

SCHEDULING ORDER

In the Matter of Herbert McMillian, appellant,  
v Mae Rizzo, respondent.


(Docket No. V-10492-02)

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Appeal by Herbert McMillian from an order of the Family Court, Queens County, dated April 21, 2008. The appellant's brief was filed in the office of the Clerk of this court on December 18, 2008. Pursuant to § 670.4(a)(2) of the Rules of this court (*see* 22 NYCRR 670.4[a][2]), it is

ORDERED that within 30 days of the date of this order, the briefs of the respondent(s) and the attorney for the child, if any, in the above-entitled appeal, shall be served and filed.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

The Case Manager assigned to this case is Ms. Vazquez. Please contact her at 718-722-6488 with any questions.

December 31, 2008

MATTER OF McMILLIAN v RIZZO