

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

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2008-06850

ORDER ON APPLICATION  
Application to Withdraw Appeal

Herman Scott, respondent, v New York City  
Transit Authority, appellant.

(Index No. 23465/04)

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Application by the appellant to withdraw an appeal from an order of the Supreme Court, Queens County, dated May 29, 2008.

Upon the papers filed in support of the application and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the application is granted and the appeal is marked withdrawn.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 31, 2008

SCOTT v NEW YORK CITY TRANSIT AUTHORITY