

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

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E/sl

REINALDO E. RIVERA, J.P.
EDWARD D. CARNI
RANDALL T. ENG
JOHN M. LEVENTHAL, JJ.

2008-11404

DECISION & ORDER ON MOTION

Joseph Ialacci, plaintiff,
v Lori Ialacci, defendant.

(Index No. 20138-08)

Motion by the defendant for leave to appeal to this court from an order of the Supreme Court, Suffolk County, dated December 10, 2008, and to stay entry and enforcement of the judgment in the above-entitled action, pending hearing and determination of the appeal.

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

ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that the motion is otherwise denied as academic.

RIVERA, J.P., CARNI, ENG and LEVENTHAL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

December 31, 2008

IALACCI v IALACCI