

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

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E/cb

PETER B. SKELOS, J.P.
STEVEN W. FISHER
ARIEL E. BELEN
PLUMMER E. LOTT, JJ.

2009-03560

DECISION & ORDER ON MOTION

Linda Barrette, respondent,
v Richard Barrette, appellant.

(Index No. 3614/07)

Motion by Richard Barrette for leave to appeal to this court from an order of the Supreme Court, Suffolk County, dated April 7, 2009, and, inter alia, to stay enforcement of the order 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 on the court's own motion, the appeal purportedly taken as of right is dismissed, without costs or disbursements; and it is further,

ORDERED that the motion is otherwise denied as academic.

SKELOS, J.P., FISHER, BELEN and LOTT, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

May 4, 2009

BARRETTE v BARRETTE