

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

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E/cb

ANITA R. FLORIO, J.P.
JOSEPH COVELLO
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2009-03206, 2009-04220

DECISION & ORDER ON MOTION

Joseph Prokop, plaintiff,
v Josephine Prokop, defendant.

(Index No. 18497/07)

Motion by the plaintiff for leave to appeal to this court from two orders of the Supreme Court, Suffolk County, dated July 18, 2008, and March 3, 2009, respectively, and to stay all proceedings in the above-entitled action pending hearing and determination of the appeals.

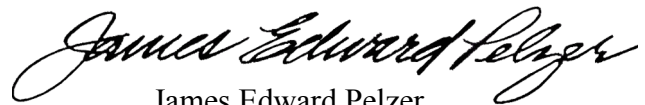
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is for leave to appeal is denied without prejudice to the plaintiff making a motion in Supreme Court, Suffolk County, to vacate the orders dated July 18, 2008 and March 3, 2009, respectively; and it is further,

ORDERED that the branch of the motion which is to stay all proceedings in the above-entitled action is denied as academic.

FLORIO, J.P., COVELLO, BALKIN and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 7, 2009

PROKOP v PROKOP