

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

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E/cb

ROBERT A. SPOLZINO, J.P.
DANIEL D. ANGIOLILLO
JOHN M. LEVENTHAL
PLUMMER E. LOTT, JJ.

2009-03801

DECISION & ORDER ON MOTION

Irene Prusik, plaintiff-appellant,
v Thomas Parkin, defendant; Thomas
Prusik-Parkin, nonparty-appellant;
Samir Chopra, nonparty-respondent.

(Index No. 29950/03)

Motion by Irene Prusik and Thomas Prusik-Parkin for leave to appeal to this court from an order of the Supreme Court, Kings County, dated April 14, 2009, and to stay their eviction 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

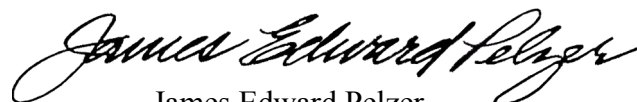
ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that on the court's own motion, the appeal purportedly taken as of right is dismissed, without costs or disbursements (*see* CPLR 5701); and it is further,

ORDERED that the motion is otherwise denied as academic.

SPOLZINO, J.P., ANGIOLILLO, LEVENTHAL and LOTT, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 11, 2009

PRUSIK v PARKIN