

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

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E/cb

PETER B. SKELOS, J.P.
FRED T. SANTUCCI
ARIEL E. BELEN
CHERYL E. CHAMBERS, JJ.

2008-08905

DECISION & ORDER ON MOTION

Rachel Geller, appellant, v Martin Geller,
a/k/a David Blass, respondent.

(Index No. 21632/06)

Motion by the appellant pro se for leave to prosecute an appeal from a judgment of the Supreme Court, Kings County, dated July 1, 2008, as a poor person and for the assignment of counsel. Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect the appeal.

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

ORDERED that the branch of the motion which is for leave to prosecute the appeal on the original papers is granted, and the appeal will be heard on the original papers (including the transcript of the proceedings, if any) and on the briefs of the parties, who are directed to file nine copies of their respective briefs and to serve one copy on each other; and it is further,

ORDERED that the branches of the motion which are to waive payment of the filing fee, for free transcripts, and for the assignment of counsel are denied; and it is further,

ORDERED that the application is granted and the appellant's time to perfect the appeal by causing the original papers constituting the record on the appeal to be filed in the office of the Clerk of this court (*see* 22 NYCRR 670.9[d][2]), and by serving and filing her brief on the appeal is enlarged until June 12, 2009.

SKELOS, J.P., SANTUCCI, BELEN and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 14, 2009

GELLER v GELLER a/k/a BLASS