

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

M86620  
E/cb

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

---

2009-01276

DECISION & ORDER ON MOTION

In the Matter of Yelyzaveta Korotina, respondent,  
v Roman Korotin, appellant.

(Docket No. O-07752-08)

---

Motion by the appellant pro se for leave to prosecute an appeal from an order of the Family Court, Queens County, dated January 8, 2009, as a poor person and for the assignment of counsel.

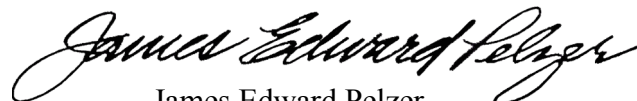
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that on the court's own motion, the appeal is dismissed, without costs or disbursements, on the ground that no appeal lies from an order entered upon the consent of the appealing party (*see* CPLR 5511); and it is further,

ORDERED that the motion is denied as academic.

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

ENTER:



James Edward Pelzer  
Clerk of the Court

May 14, 2009

MATTER OF KOROTINA v KOROTIN