

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

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

2009-02728

DECISION & ORDER ON MOTION
Motion to Dismiss Appeal

The People, etc., respondent,
v Henry Perez, appellant.

(Ind. No. 04-594)

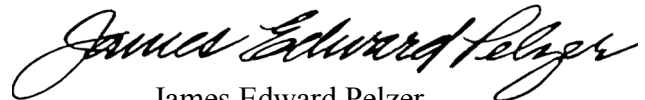
Motion by the respondent to dismiss an appeal from an order of the County Court, Orange County, dated February 4, 2009.

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 motion is granted and the appeal is dismissed on the ground that the order is not appealable as of right and leave to appeal has not been granted (*see* CPL 450.10; 450.15).

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

ENTER:



James Edward Pelzer
Clerk of the Court

May 14, 2009

PEOPLE v PEREZ, HENRY