

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

M86821  
M/cb

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

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2008-11428

DECISION & ORDER ON MOTION

In the Matter of Baby Boy H. (Anonymous).  
Ovidio Jose R. (Anonymous), appellant;  
“Mr. and Mrs. Doe,” et al., respondents.

(Docket No. A-2713-08)

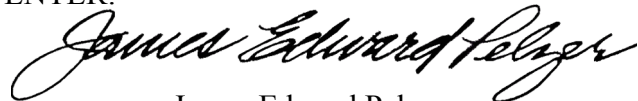
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Appeal by Ovidio Jose R. from an order of the Family Court, Suffolk County, dated November 18, 2008. By decision and order on motion dated March 31, 2009, the appellant was given until April 28, 2009, to comply with the scheduling order dated January 7, 2009, in the above-entitled appeal. The appellant has not done so. On the court’s own motion it is

ORDERED that the appeal is dismissed, without costs or disbursements.

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

ENTER:



James Edward Pelzer  
Clerk of the Court

May 19, 2009

MATTER OF BABY BOY H. (ANONYMOUS)