

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

M86897
E/sl

ROBERT A. SPOLZINO, J.P.
DANIEL D. ANGIOLILLO
CHERYL E. CHAMBERS
L. PRISCILLA HALL, JJ.

2009-03652

DECISION & ORDER ON MOTION

Tyrone Mays, respondent-appellant,
v City of Middletown, et al., appellants-respondents.

(Index No. 06-8811)

Motion by the appellants-respondents to stay all proceedings in the above-entitled action pending hearing and determination of an appeal and cross appeal from an order of the Supreme Court, Orange County, dated March 10, 2009.

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

ORDERED that the motion is granted, and all proceedings in the above-entitled action are stayed pending hearing and determination of the appeal and cross appeal on condition that the appeal is perfected on or before June 19, 2009; and it is further,

ORDERED that in the event the appeal is not perfected on or before June 19, 2009, the court, on its own motion, may vacate the stay, or the respondent-appellant may move to vacate the stay, on three days notice.

SPOLZINO, J.P., ANGIOLILLO, CHAMBERS and HALL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

May 20, 2009

MAYS v CITY OF MIDDLETOWN