

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

M87091  
E/sl

A. GAIL PRUDENTI, P.J.  
ROBERT A. SPOLZINO  
HOWARD MILLER  
RUTH C. BALKIN, JJ.

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2008-05520

DECISION & ORDER ON MOTION

In the Matter of Freda Leichter Kessler, petitioner,  
v State of New York Office of Children and  
Family Services, respondent.

(Index No. 07-13871)

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Motion by the petitioner to enlarge the time to perfect a proceeding pursuant to CPLR article 78, which was transferred to this court by an order of the Supreme Court, Westchester County, entered February 21, 2008, and for leave to reargue that branch of her prior motion which was for the assignment of counsel, which was determined by decision and order on motion dated September 11, 2008.

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 to enlarge the time to perfect the proceeding is granted, and the petitioner's time to perfect the proceeding by causing the original papers constituting the record 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 is enlarged until June 30, 2009; and it is further,

ORDERED that no further enlargement of time shall be granted; and it is further,

ORDERED that the branch of the motion which is for leave to reargue is denied.

PRUDENTI, P.J., SPOLZINO, MILLER and BALKIN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

May 27, 2009

MATTER OF KESSLER v STATE OF NEW YORK OFFICE OF CHILDREN AND  
FAMILY SERVICES