

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

M87145  
S/sl

STEVEN W. FISHER, J.P.  
MARK C. DILLON  
JOSEPH COVELLO  
THOMAS A. DICKERSON, JJ.

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2009-04440

DECISION & ORDER ON MOTION

In the Matter of Tyrone Bennett, petitioner-respondent,  
v Michelle Lezama, respondent; Toba Beth Stutz,  
nonparty-appellant.

(Docket No. V-04803-08)

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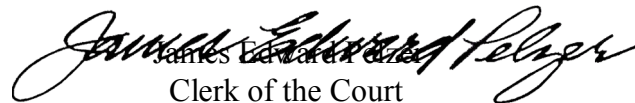
Appeal by Toba Beth Stutz from an order of the Family Court, Queens County, dated  
April 23, 2009.

Now, on the court's own motion, it is

ORDERED that the appeal is dismissed, without costs or disbursements, as the order  
is not appealable as of right and leave to appeal has not been granted (*see* Family Ct Act § 1112).

FISHER, J.P., DILLON, COVELLO and DICKERSON, JJ., concur.

ENTER:

  
James Edward Kelly  
Clerk of the Court

May 28, 2009

MATTER OF BENNETT v LEZAMA