

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

M87231
E/sl

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

2009-03616

The People, etc., respondent,
v Robert Lindenberg, appellant.

DECISION & ORDER ON MOTION
Motion to Dismiss Appeal

(Ind. No. 07-1072)

Motion by the respondent to dismiss an appeal from a judgment of the County Court, Westchester County, rendered January 15, 2009, on the ground that the notice of appeal is untimely.

Upon the papers filed in support of the motion and no papers having been filed in relation thereto, it is

ORDERED that the motion is granted and the appeal is dismissed (*see* CPL 460.10[1][a], 460.30).

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

ENTER:



James Edward Pelzer
Clerk of the Court

May 28, 2009

PEOPLE v LINDENBERG, ROBERT