

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

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MARK C. DILLON, J.P.
FRED T. SANTUCCI
JOSEPH COVELLO
JOHN M. LEVENTHAL, JJ.

2009-00996

DECISION & ORDER ON MOTION

In the Matter of Robert Freking, respondent,
v Maureen McGovern, appellant.

(Docket No. F-03288-96)

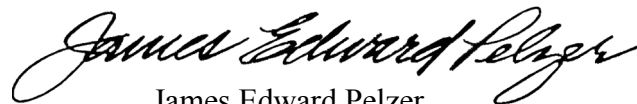
Appeal by Maureen McGovern from an order of the Family Court, Suffolk County, dated November 19, 2008. By order to show cause dated May 12, 2009, the parties or their attorneys were directed to show cause why an order should or should not be made and entered dismissing the appeal in the above-entitled proceeding for failure to comply with a scheduling order dated February 6, 2009, issued pursuant to 22 NYCRR 670.4(a)(2).

Now on the court's own motion, and no papers having been filed in opposition or relation thereto, it is

ORDERED that the motion is granted and the appeal is dismissed, without costs or disbursements, for failure to comply with a scheduling order dated February 6, 2009, issued pursuant to 22 NYCRR 670.4(a)(2).

DILLON, J.P., SANTUCCI, COVELLO and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 4, 2009

MATTER OF FREKING v McGOVERN