

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

M87548
E/sl

STEVEN W. FISHER, J.P.
ANITA R. FLORIO
JOSEPH COVELLO
THOMAS A. DICKERSON, JJ.

2009-04248

DECISION & ORDER ON MOTION

In the Matter of Jeremiah S. (Anonymous), respondent.
Thomas J. Spota, etc., appellant.

Motion by the Suffolk County District Attorney for leave to appeal to this court from an order of the Supreme Court, Suffolk County, dated February 2, 2009, and to stay enforcement of the order pending hearing and determination of the appeal.

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

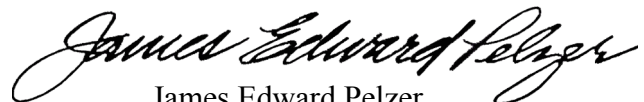
ORDERED that the branch of the motion which is for leave to appeal is granted; and it is further,

ORDERED that the branch of the motion which is to stay enforcement of the order is granted and enforcement of the order dated February 2, 2009, is stayed pending hearing and determination of the appeal on condition that the appeal is perfected on or before July 20, 2009; and it is further,

ORDERED that in the event the appeal is not perfected on or before July 20, 2009, the court, on its own motion, may vacate the stay, or the respondent may move to vacate the stay, on three days notice.

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

ENTER:



James Edward Pelzer
Clerk of the Court

June 4, 2009

MATTER OF S. (ANONYMOUS), JEREMIAH