

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

M87956
E/sl

A. GAIL PRUDENTI, P.J.
PETER B. SKELOS
FRED T. SANTUCCI
THOMAS A. DICKERSON, JJ.

2008-10246

DECISION & ORDER ON MOTION

In the Matter of Hattie G. Martin, deceased.
Miladin Dobric, appellant; David J. Baron,
respondent.

(File No. 1070/08)

Motion by the appellant on an appeal from an order of the Surrogate's Court, Queens County, dated October 29, 2008, inter alia, to strike the respondent's brief on the ground that it is based on "falsehood and oriented to mislead the court" and "to reargue vacator [sic] of stay and, on reargument, to reinstate" the stay.

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

ORDERED that the motion is denied.

PRUDENTI, P.J., SKELOS, SANTUCCI and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 15, 2009

MATTER OF MARTIN, DECEASED