

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

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E/cb

A. GAIL PRUDENTI, P.J.
MARK C. DILLON
JOSEPH COVELLO
JOHN M. LEVENTHAL, JJ.

2008-00231

DECISION & ORDER ON MOTION

In the Matter of Anselmo Soto, Jr., appellant,
v Brian Fischer, etc., respondent.

(Index No. 5996/07)

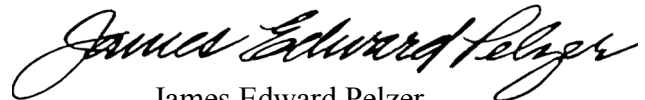
Motion by the appellant for leave to reargue an appeal from an order of the Supreme Court, Dutchess County, dated November 28, 2007, which was determined by decision and order of this court dated March 31, 2009, or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this court.

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., DILLON, COVELLO and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 17, 2009

MATTER OF SOTO v FISCHER