

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

M88211
E/sl

PETER B. SKELOS, J.P.
DANIEL D. ANGIOLILLO
RUTH C. BALKIN
ARIEL E. BELEN, JJ.

2009-04596

DECISION & ORDER ON MOTION

In the Matter of Barbara Sass, petitioner,
v Town of Brookhaven, respondent.

(Index No. 425-08)

Proceeding pursuant to CPLR article 78 which was transferred to this court by order of the Supreme Court, Suffolk County, dated July 8, 2008. By order to show cause dated May 28, 2009, the petitioner and the respondent were directed to show cause why an order should or should not be made and entered dismissing the above-entitled proceeding for failure to perfect in accordance with the rules of this court (*see* 22 NYCRR 670.8[e]).

Upon the order to show cause and the papers filed in response thereto, it is


ORDERED that motion to dismiss the appeal is denied; and it is further,

ORDERED that the petitioner's time to perfect the proceeding is enlarged until August 17, 2009, and the petitioner's record or appendix and brief must be served and filed on or before that date; and it is further,

ORDERED that no further extension of time shall be granted.

SKELOS, J.P., ANGIOLILLO, BALKIN and BELEN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 18, 2009

MATTER OF SASS v TOWN OF BROOKHAVEN