

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

M88263
M/cb

MARK C. DILLON, J.P.
HOWARD MILLER
JOHN M. LEVENTHAL
ARIEL E. BELEN, JJ.

2009-03438

DECISION & ORDER ON MOTION

In the Matter of Keith Johns, respondent,
v Michael Johns, appellant.

(Docket No. O-03486-09)

Appeal by Michael Johns from an order of the Family Court, Suffolk County, dated March 19, 2009. By order to show cause dated June 2, 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 April 24, 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.

DILLON, J.P., MILLER, LEVENTHAL and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 19, 2009

MATTER OF JOHNS v JOHNS