

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

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E/sl

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

2008-10441

DECISION & ORDER ON MOTION

In the Matter of Eva C. (Anonymous).
Godfrey J. (Anonymous), appellant;
Grace M. Colson, respondent.

(Index No. 108058/00)

Motion by the respondent, inter alia, to dismiss an appeal from an order of the Supreme Court, Kings County, dated August 29, 2008, for failure to timely perfect in accordance with the rules of this court (*see* 22 NYCRR 670.8[e]) or to direct the appellant to file a supplemental appendix. Application by the appellant to enlarge the time to perfect the appeal.

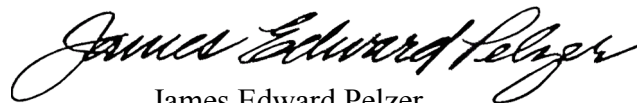
Upon the papers filed in support of the motion and the papers filed in opposition, and upon the application, it is

ORDERED that on the court's own motion, the appeal is dismissed, without costs or disbursements, on the ground that the appellant is not aggrieved by the order appealed from (*see* CPLR 5511); and it is further,

ORDERED that the motion and application are denied as academic.

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

ENTER:



James Edward Pelzer
Clerk of the Court

June 26, 2009

MATTER OF C. (ANONYMOUS), EVA