

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

M88558  
S/cb

A. GAIL PRUDENTI, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
ROBERT A. SPOLZINO  
PETER B. SKELOS, JJ.

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2008-09605

DECISION & ORDER ON MOTION

Joseph P. Shelley, et al., appellants,  
v Sheryn Silvestre, et al., respondents.

(Index No. 6598/03)

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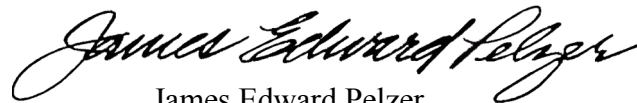
Appeal by the plaintiffs from a decision of the Supreme Court, Suffolk County, dated August 22, 2008.

Now, on the court's own motion, it is

ORDERED that the appeal is dismissed, without costs or disbursements, as no appeal lies from a decision (*see Schicchi v J. A. Green Constr. Corp.*, 100 AD2d 509).

PRUDENTI, P.J., MASTRO, RIVERA, SPOLZINO and SKELOS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

June 29, 2009

SHELLEY v SILVESTRE