

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

M88642  
E/sl

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

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2008-11180

DECISION & ORDER ON MOTION

Countrywide Home Loans, Inc., respondent,  
v James C. Lockhart III, appellant, et al.,  
defendants.

(Index No. 15930/05)

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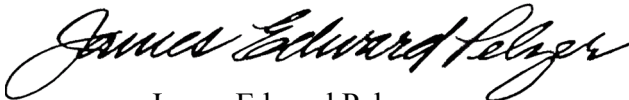
Motion by the appellant to recall and vacate so much of a decision and order on motion of this court, entitled "In the Matter of the Dismissal of Causes for Failure to Perfect - February 2009 Calendar," dated March 17, 2009, as dismissed an appeal from an order of the Supreme Court, Queens County, entered February 19, 2008, pursuant to 22 NYCRR 670.8(e) for failure to timely perfect the same, to reinstate the appeal, and to enlarge the time to perfect the appeal.

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

ORDERED that the motion is denied.

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

ENTER:



James Edward Pelzer  
Clerk of the Court

June 26, 2009

COUNTRYWIDE HOME LOANS, INC. v LOCKHART III