

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

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M/cb

STEVEN W. FISHER, J.P.
HOWARD MILLER
DANIEL D. ANGIOLILLO
L. PRISCILLA HALL, JJ.

2009-02956

DECISION & ORDER ON MOTION

Jacques Jean-Baptiste, appellant,
v Eliotte Bazin Jean-Baptiste, respondent.

(Index No. 368-04)

Appeal by Jacques Jean-Baptiste from an order of the Supreme Court, Kings County, dated February 24, 2009. By order to show cause dated June 9, 2009, the parties or their attorneys were directed to show cause before this court 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 29, 2009, issued pursuant to 22 NYCRR 670.4(a)(2).

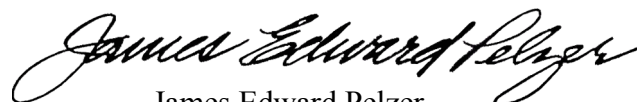
Now, on the court's own motion, and the papers filed in response to the order to show cause, it is

ORDERED that the motion is denied; and it is further,

ORDERED that the appellant's time to perfect the appeal by causing the original papers constituting the record on the appeal to be filed in the office of the Clerk of this court (*see* 22 NYCRR 670.9[d][2]) and by serving and filing the appellant's brief on the appeal is enlarged until July 31, 2009.

FISHER, J.P., MILLER, ANGIOLILLO and HALL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 26, 2009

JEAN-BAPTISTE v JEAN-BAPTISTE