

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

M89293
E/sl

ANITA R. FLORIO, J.P.
HOWARD MILLER
JOHN M. LEVENTHAL
PLUMMER E. LOTT, JJ.

2009-01124

DECISION & ORDER ON MOTION

Kelly Ashmore, respondent,
v Benjamin Ashmore, Sr., appellant.

(Index No. 37380/07)

Motion by the appellant for leave to prosecute an appeal from an order of the Supreme Court, Kings County, dated January 12, 2009 on the original record and to dispense with the printing. Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect the appeal.

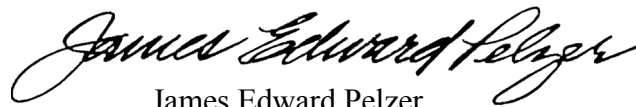
Upon the papers filed in support of the motion and the papers filed in opposition thereto, and upon the application, it is

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

ORDERED that the application is granted, the appellant's time to perfect the appeal is enlarged until September 14, 2009, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date.

FLORIO, J.P., MILLER, LEVENTHAL and LOTT, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

July 15, 2009

ASHMORE v ASHMORE