

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

M89377
S/sl

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

2008-00278

DECISION & ORDER ON MOTION

In the Matter of Bernell Jones, appellant,
v Katherine Fish, et al., respondent.

(Index No. 07-12374)


Appeal by the petitioner from an order of the Supreme Court, Westchester County, dated November 9, 2007. The appellant's record and brief were filed in the office of the Clerk of this court on August 27, 2008. By decision and order on motion dated September 10, 2008, the appellant's time to pay the \$315 filing fee for the appeal was enlarged until October 8, 2008. The filing fee has not been paid.

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

ORDERED that the appeal is dismissed, without costs or disbursements, for failure to pay the filing fee.

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

ENTER:


James Edward Pelzer
Clerk of the Court

July 15, 2009

MATTER OF JONES v FISH