

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

M89592
B/cb

FRED T. SANTUCCI, J.P.
DANIEL D. ANGIOLILLO
RUTH C. BALKIN
CHERYL E. CHAMBERS, JJ.

2008-09788

DECISION & ORDER ON MOTION
Motion for Poor Person Relief
Family Court

In the Matter of Rosemarie Furno, respondent,
v Stephen Furno, appellant.

(Docket No. F-4011-07)

Motion by the appellant for leave to prosecute an appeal from an order of the Family Court, Richmond County, dated September 9, 2008, as a poor person.

Upon the papers filed in support of the motion and no papers having been filed in opposition or relation thereto, it is

ORDERED that the branch of the motion which is for leave to prosecute the appeal on the original papers is denied as unnecessary (see Family Ct Act § 1116), and the appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the brief of the appellant, the respondent, and the attorney for the child, if any. The parties are directed to file nine copies of their respective briefs and to serve one copy on each other (22 NYCRR 670.9[d][1][ii]; Family Ct Act § 1116); and it is further,

ORDERED that the branches of the motion which are for free transcripts and to waive the filing fee are 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 his brief on the appeal is enlarged until August 17, 2009; and it is further,

ORDERED that no further enlargement of time shall be granted.

SANTUCCI, J.P., ANGIOLILLO, BALKIN and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer

Clerk of the Court

July 17, 2009

MATTER OF FURNO v FURNO