

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

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

2009-06154

DECISION & ORDER ON MOTION

In the Matter of Maureen Zakian, respondent,
v Robert Cahill, appellant.

(Docket No. F-04251-05)

Motion by the appellant to stay all proceedings in the Family Court, Richmond County, in the above-entitled matter pending hearing and determination of an appeal from an order of the same court dated May 29, 2009.


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

ORDERED that on the court's own motion the appeal is dismissed, without costs or disbursements, as the order is not appealable as of right and we decline to grant leave to appeal (*see* Family Ct Act § 439[e]; 1112); and it is further,

ORDERED that the motion is denied as academic.

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

ENTER:


James Edward Pelzer
Clerk of the Court