

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

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E/sl

PETER B. SKELOS, J.P.
JOHN M. LEVENTHAL
L. PRISCILLA HALL
LEONARD B. AUSTIN, JJ.

2009-03378

DECISION & ORDER ON MOTION

Eliezer Stober, appellant,
v Shoshana Stober, respondent.

(Index No. 23009/07)

Appeal by Eliezer Stober from a judgment of the Supreme Court, Kings County, dated February 26, 2009. By order to show cause dated July 8, 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 17, 2009. Motion by the appellant pro se, in effect, to remove the appeal from the active case management program.

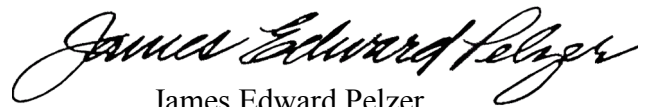
Now, on the court's own motion, and the papers filed in response to the order to show cause, and upon the appellant's motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion to dismiss the appeal is denied; and it is further,

ORDERED that the appellant's motion, in effect, to remove the appeal from the active case management program is granted.

SKELOS, J.P., LEVENTHAL, HALL and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

July 23, 2009

STOBER v STOBER