

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

M90054
S/sl

REINALDO E. RIVERA, J.P.
RANDALL T. ENG
JOHN M. LEVENTHAL
L. PRISCILLA HALL, JJ.

2009-01269

DECISION & ORDER ON APPLICATION

Hal R. Ginsburg, et al., respondents,
v Ock-A-Bock Community Association, Inc.,
etc., et al., appellants.

(Index No. 17663-04)

Application by the appellants pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from a decision of the Supreme Court, Suffolk County, dated December 16, 2008.

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

ORDERED that the appeal is dismissed, without costs or disbursements, as no appeal lies from a decision (*see Schicchi v J. A. Green Constr. Corp.*, 100 AD2d 509).

ORDERED that the application is denied as academic.

RIVERA, J.P., ENG, LEVENTHAL and HALL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

July 29, 2009

GINSBURG v OCK-A-BOCK COMMUNITY ASSOCIATION, INC.