

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

M90180
J/sl

PETER B. SKELOS, J.P.
THOMAS A. DICKERSON
ARIEL E. BELEN
LEONARD B. AUSTIN, JJ.

2009-06070

DECISION & ORDER ON MOTION

Doreen Harris, appellant, v Department of
Housing Preservation & Development, et al.,
defendants, NAPCO Holding LLC, respondent.

(Index No. 14836/09)

Motion by Doreen Harris for leave to appeal to this court from an order of the Supreme Court, Kings County, dated June 23, 2009, and to stay her eviction from the subject premises pending hearing and determination of the appeal.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is for leave to appeal to this court is granted; and it is further,

ORDERED that the branch of the motion which is to stay the appellant's eviction from the subject premises is granted, and the appellant's eviction from the subject premises is stayed pending hearing and determination of the appeal or determination of the underlying motion currently pending in the Supreme Court, Kings County, on condition that the appellant pay the respondent rent in the sum of \$230 per month on or about the 1st of each month, commencing September 1, 2009; and it is further,

August 13, 2009

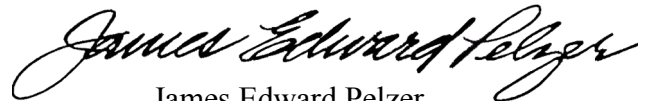
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ORDERED that in the event the appellant does not comply with the foregoing condition, the court, on its own motion, may vacate the stay, or the respondent may move to vacate the stay, on three days notice.

SKELOS, J.P., DICKERSON, BELEN and AUSTIN, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court