

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

M90458  
E/sl

ROBERT A. SPOLZINO, J.P.  
STEVEN W. FISHER  
HOWARD MILLER  
PLUMMER E. LOTT, JJ.

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2009-02592, 2009-03019

DECISION & ORDER ON MOTION

Zev Yourman, appellant,  
v Mitchell Shpelfogel, respondent.

(Index No. 23576/07)

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Motion by the appellant to enlarge the time to perfect an appeal from an order of the Supreme Court, Kings County, dated June 24, 2008. Separate motion by the appellant to waive payment of the filing fee and for free transcripts.

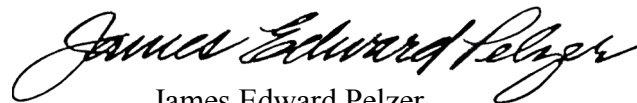
Upon the papers filed in support of the motions and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion to enlarge the time to perfect the appeal is granted, and 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 a brief on the appeal is enlarged until October 5, 2009; and it is further,

ORDERED that the motion to waive payment of the filing fee and for free transcripts is denied.

SPOLZINO, J.P., FISHER, MILLER and LOTT, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 6, 2009

YOURMAN v SHPELFOGEL