

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

M90511
E/sl

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

2009-02773

DECISION & ORDER ON MOTION
Motion to Dismiss Appeal

Robert H. Rotering, etc., appellant,
v Perry Satz, et al., respondents.

(Index No. 1743/08)

Motion by the respondents to dismiss an appeal from an order of the Supreme Court, Dutchess County, dated February 23, 2009, in effect, on the ground that the right of direct appeal from the order terminated upon entry of a judgment in the above-entitled action, dated May 1, 2009.

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

ORDERED that the motion is granted and the appeal is dismissed, without costs or disbursements (*see Matter of Aho*, 39 NY2d 241, 248).

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

ENTER:


James Edward Pelzer
Clerk of the Court

August 7, 2009

ROTERING v SATZ