

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

M90565  
E/sl

A. GAIL PRUDENTI, P.J.  
REINALDO E. RIVERA  
JOSEPH COVELLO  
PLUMMER E. LOTT, JJ.

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2009-05681, 2009-06631

DECISION & ORDER ON MOTION

Matthieu Maceno, appellant,  
v Ketley Dutrevil, et al., respondents.

(Index No. 70/06)

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Motion by the appellant, inter alia, to stay enforcement of two orders of the Supreme Court, Queens County, entered May 15, 2009, and June 16, 2009, respectively, pending hearing and determination of appeals therefrom.

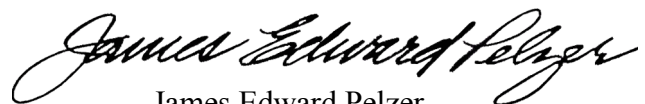
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that on the court's own motion, the appeal from the order entered June 16, 2009 (Appellate Division Docket No. 2009-06631), is dismissed, without costs or disbursements, on the ground that no appeal lies as of right from an order that is not the result of a motion made on notice (*see* CPLR 5701), and we decline to grant leave to appeal; and it is further,

ORDERED that the motion is denied.

PRUDENTI, P.J., RIVERA, COVELLO and LOTT, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 7, 2009

MACENO v DUTREVIL