

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

M90570  
S/sl

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

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2009-01914

DECISION & ORDER ON APPLICATION

Nella Manko, appellant,  
v Lenox Hill Hospital, respondent.

(Index No. 30972/04)

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Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from an order of the Supreme Court, Kings County, dated November 13, 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 the order is not appealable as of right and leave to appeal has not been granted (*see* CPLR 5701); and it is further,

ORDERED that the application is denied as academic.

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

ENTER:



James Edward Pelzer  
Clerk of the Court

August 10, 2009

MANKO v LENOX HILL HOSPITAL