

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

M90627  
L/

A. GAIL PRUDENTI, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
ROBERT A. SPOLZINO  
PETER B. SKELOS, JJ.

---

2008-06934

DECISION & ORDER ON MOTION

Abel Cruz, respondent, v Chun Sheng Guo,  
et al., defendants, Hawkeye Limo, Inc.,  
et al., appellants.

(Index No. 21755/05)

---

On the court's own motion, it is

ORDERED that the order on application of this court dated December 31, 2008,  
which granted an application to withdraw an appeal from an order of the Supreme Court, Kings  
County, dated June 26, 2008, is recalled and vacated.

PRUDENTI, P.J., MASTRO, RIVERA, SPOLZINO and SKELOS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 13, 2009

CRUZ v CHUN SHENG GUO