

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

M90869
S/sl

MARK C. DILLON, J.P.
JOSEPH COVELLO
DANIEL D. ANGIOLILLO
LEONARD B. AUSTIN, JJ.

2009-06766

DECISION & ORDER ON MOTION

Erin Lewis Posner, appellant,
v Ronald Bruce Posner, respondent.

(Index No. 04-6845)

Appeal by Erin Lewis Posner from an order of the Supreme Court, Westchester County, dated June 15, 2009.

Now, on the court's own motion, it is

ORDERED that the appeal is dismissed, without costs or disbursements, as no appeal lies from an order which determines the admissibility of evidence in advance of trial (*see Cotgreave v Public Adm'r of Imperial County*, 91 AD2d 600).

DILLON, J.P., COVELLO, ANGIOLILLO and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

August 17, 2009

POSNER v POSNER