

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

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E/sl

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

2009-07192

DECISION & ORDER ON MOTION

Jacques Jean-Baptiste, respondent,
v Eliotte Bazin Jean-Baptiste, appellant.

(Index No. 368/04)

Motion by Eliotte Bazin Jean-Baptiste for leave to appeal to this court from an order of the Supreme Court, Kings County, dated July 28, 2009, and, inter alia, to stay enforcement of the order pending hearing and determination of the appeal.

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

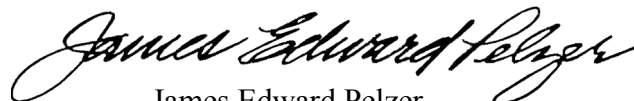
ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that on the court's own motion, the appeal purportedly taken as of right is dismissed, without costs or disbursements; and it is further,

ORDERED that the motion is otherwise denied as academic.

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

ENTER:



James Edward Pelzer
Clerk of the Court

August 17, 2009

JEAN-BAPTISTE v JEAN-BAPTISTE