

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

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STEVEN W. FISHER, J.P.  
FRED T. SANTUCCI  
RANDALL T. ENG  
L. PRISCILLA HALL, JJ.

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2004-04855

The People, etc., respondent,  
v Donald Tyler, appellant.

DECISION & ORDER ON MOTION  
Motion to Dismiss Appeal

(Ind. No. 03-01690)

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Motion by the respondent to dismiss an appeal from a judgment of the Supreme Court, Westchester County, rendered April 26, 2004, for failure to perfect.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted and the appeal is dismissed (*see* 22 NYCRR 670.8[f]; CPL 470.60[1]).

FISHER, J.P., SANTUCCI, ENG, and HALL, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 21, 2009

PEOPLE v TYLER, DONALD