

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

M91253
E/sl

FRED T. SANTUCCI, J.P.
HOWARD MILLER
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2008-10077

DECISION & ORDER ON MOTION

U.S. Bank, N.A., etc., respondent,
v Sherreth F. Russell, appellant, et al.,
defendants.

(Index No. 22322/06)

Motion by the appellant to enlarge the time to perfect an appeal from an order of the Supreme Court, Queens County, entered October 24, 2008.

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 on the court's own motion, the appeal will be heard on the original papers (including the transcript of the proceedings, if any) and on the briefs of the parties, who are directed to file nine copies of their respective briefs and to serve one copy on each other; and it is further,

ORDERED that the motion is granted and the appellant's time to perfect the appeal by causing the original papers constituting the record on the appeal to be filed in the office of the Clerk of this court (*see* 22 NYCRR 670.9[d][2]) and by serving and filing her brief on the appeal is enlarged until October 9, 2009; and it is further,

ORDERED that no further enlargement of time shall be granted.

SANTUCCI, J.P., MILLER, BALKIN and AUSTIN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

August 26, 2009

U.S. BANK, N.A. v RUSSELL