

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

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

2009-04005

DECISION & ORDER ON MOTION

In the Matter of Simona Brinkman,
respondent-appellant, v Jason Jackson,
appellant-respondent.

(Docket No. F-1281-05)

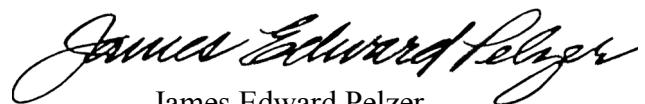
Appeal and cross appeal from an order of the Family Court, Kings County, dated March 20, 2009. By order to show cause dated July 20, 2009, the parties or their attorneys were directed to show cause before this court why an order should or should not be made and entered dismissing the appeal by Jason Jackson in the above-entitled proceeding for failure to comply with a scheduling order dated May 5, 2009, issued pursuant to § 670.4(a)(2) of the rules of this court (22 NYCRR 670.4[a][2]).

Now, on the court's own motion, and no papers having been filed in response to the order to show cause, it is

ORDERED that the appeal by Jason Jackson is dismissed, without costs or disbursements, for failure to comply with the scheduling order dated May 5, 2008, issued pursuant to § 670.4(a)(2) of the rules of this court (22 NYCRR 670.4[a][2]).

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

ENTER:



James Edward Pelzer
Clerk of the Court

August 26, 2009

MATTER OF BRINKMAN v JACKSON