

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

M91309
S/sl

STEVEN W. FISHER, J.P.
MARK C. DILLON
JOSEPH COVELLO
RANDALL T. ENG, JJ.

2009-02541

DECISION & ORDER ON APPLICATION

Commissioners of State Insurance Fund,
respondent, v Service Unlimited, USA,
Inc., appellant.

(Index No. 03-14561)

Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from a decision of the Supreme Court, Westchester County, dated March 3, 2009.

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

ORDERED that the appeal is dismissed, without costs or disbursements, as no appeal lies from a decision (*see Schicchi v J. A. Green Constr. Corp.*, 100 AD2d 509); and it is further,

ORDERED that the application is denied as academic.

FISHER, J.P., DILLON, COVELLO and ENG, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

August 28, 2009

COMMISSIONERS OF STATE INSURANCE FUND v SERVICE UNLIMITED, USA, INC.