

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

M91395  
E/sl

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

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2009-02512, 2009-02963

DECISION & ORDER ON MOTION

Anthony Orlando, Jr., appellant,  
v Michael Moschetto, respondent.  
(Appeal No. 1)

Anthony Orlando, appellant,  
v Victor Pisanelli, respondent.  
(Appeal No. 2)

(Index No. 7223/07)

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Motion by Finkelstein & Partners, the attorneys for the appellant, for leave to withdraw as counsel on appeals from two judgments of the Supreme Court, Dutchess County, dated February 4, 2009, and entered March 16, 2009, respectively. Separate motion by Michael Moschetto to dismiss the appeal from the judgment entered March 16, 2009, for failure to timely perfect.

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

ORDERED that the motion by Finkelstein & Partners is granted, and Finkelstein & Partners is relieved from representing the appellant with respect to the instant appeal; and it is further,

ORDERED that on or before September 11, 2009, Finkelstein & Partners is directed to serve its client by one of the methods specified in CPLR 2103(c), with a copy of this decision and order on motion and shall file proof of such service with the Clerk of this court; and it is further,

August 28, 2009

ORLANDO v MOSCHETTO

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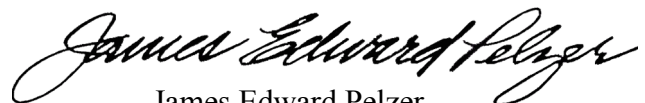
ORDERED that no further proceedings shall be taken against the appellant, without leave of the court, until the expiration of 30 days after service upon him of a copy of this decision and order on motion; and it is further,

ORDERED that the appellant's time to perfect the appeals is enlarged until November 2, 2009, and the records or appendices on the appeals and the appellant's briefs must be served and filed on or before that date; and it is further,

ORDERED that the motion by Michael Moschetto is denied.

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

ENTER:

A handwritten signature in black ink that reads "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court