

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

M91396
E/sl

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

2009-05900

DECISION & ORDER ON MOTION

Keith Boyer, appellant, v Whitestone
Lumber Corp. et al., respondents.

(Index No. 20901/07)

Motion by the respondents to dismiss an appeal from an order of the Supreme Court, Nassau County, entered March 17, 2009, on the ground that it was untimely taken.

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, without costs or disbursements.

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

ENTER:



James Edward Pelzer
Clerk of the Court

September 1, 2009

BOYER v WHITESTONE LUMBER CORP.