

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

M91402  
S/sl

ROBERT A. SPOLZINO, J.P.  
FRED T. SANTUCCI  
RANDALL T. ENG  
ARIEL E. BELEN, JJ.

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2009-02272

DECISION & ORDER ON APPLICATION

Carol Hodkin, appellant, v 65 Lincoln  
Boulevard, etc., et al., respondents.

(Index No. 001465/06)

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Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from an order of the Supreme Court, Nassau County, dated January 23, 2009.

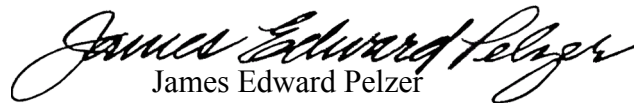
Upon the papers filed in support of the application and no papers having been filed in opposition thereto, it is

ORDERED that the appeal is dismissed, without costs or disbursements, as the order is not appealable as of right and leave to appeal has not been granted (*see* CPLR 5701); and it is further,

ORDERED that the application is denied as academic.

SPOLZINO, J.P., SANTUCCI, ENG and BELEN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

August 31, 2009

HODKIN v 65 LINCOLN BOULEVARD