

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

M91417
E/sl

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

2009-07926

DECISION & ORDER ON MOTION

Sase Bhamdat, plaintiff-respondent,
v Peter Persuad, et al., appellants,
Miguel Feliciano, defendant-respondent.

(Index No. 21148/08)

Motion by Peter Persuad, Beverly Persuad, and P.O.P. Realty Corp. for leave to appeal to this court an order of the Supreme Court, Queens County, dated July 15, 2009, and to stay enforcement of the order pending hearing and determination of the appeal.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is


ORDERED that the branch of the motion which is for leave to appeal is denied, without prejudice to making a motion in the Supreme Court, Queens County, to vacate the order dated July 15, 2009; and it is further,

ORDERED that on the court's own motion, the appeal purportedly taken as of right is dismissed, without costs or disbursements; and it is further,

ORDERED that the motion is otherwise denied as academic.

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

ENTER:


James Edward Pelzer
Clerk of the Court

August 28, 2009

BHRAMDAT v PERSAUD