

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

M91432
E/sl

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

2009-05438

DECISION & ORDER ON MOTION

In the Matter of Andrew Ludwick, appellant,
v Beverly Vezer, et al., respondents.

(Docket No. F-6404-08)

Appeal by Andrew Ludwick from an order of the Family Court, Suffolk County, dated April 29, 2009. By order to show cause dated August 4, 2009, the parties or their attorneys were directed to show cause before this court why an order should or should not be made and entered dismissing the appeal in the above-entitled proceeding for failure to comply with a scheduling order dated June 23, 2009, issued pursuant to § 670.4(a)(2) of the rules of this court (22 NYCRR 670.4[a][2]), it is

Now, on the court's own motion, and the papers filed in response to the order to show cause, it is

ORDERED that the motion to dismiss the appeal is denied; and it is further,

ORDERED that the appellant's time to perfect the appeal by causing the original papers constituting the record on the appeal to be filed in the office of the Clerk of this court (*see* 22 NYCRR 670.4[a][2]) and by serving and filing the appellant's brief on the appeal is enlarged until October 5, 2009.

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

ENTER:



James Edward Pelzer
Clerk of the Court

August 31, 2009

MATTER OF LUDWICK v VEZER