

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

M91494
E/sl

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

2008-09155

DECISION & ORDER ON MOTION

David Benjamin, appellant,
v State of New York, respondent.

(Claim No. 115343)

Motion by the appellant to enlarge the time to perfect an appeal from an order of the Court of Claims dated August 28, 2008.

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

ORDERED that the motion is granted, 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 670.9[d][2]) and by serving and filing his brief on the appeal is enlarged until November 2, 2009.

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

ENTER:



James Edward Pelzer
Clerk of the Court

September 1, 2009

BENJAMIN v STATE OF NEW YORK