

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

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E/sl

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

2009-03567, 2009-03568

DECISION & ORDER ON MOTION

In the Matter of Shawanna Charles, appellant,
v Frederick Moore, respondent.

(Docket No. V-06466-09)

Appeals by Shawanna Charles from an order of the Family Court, Kings County dated April 16, 2009, and an order of dismissal of the same court, also dated April 16, 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 appeals in the above-entitled proceeding for failure to comply with a scheduling order dated May 28, 2009, issued pursuant to § 670.4(a)(2) of the rules of this court (22 NYCRR 670.4[a][2]).

Now, on the court's own motion, and no papers having been filed in response to the order to show cause, it is

ORDERED that the appeal is dismissed, without costs or disbursements, for failure to comply with the scheduling order dated May 28, 2009, issued pursuant to § 670.4(a)(2) of the rules of this court (22 NYCRR 670.4[a][2]).

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

ENTER:



James Edward Pelzer
Clerk of the Court

September 2, 2009

MATTER OF CHARLES v MOORE