

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

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L/

STEVEN W. FISHER, J.P.
ANITA R. FLORIO
DANIEL D. ANGIOLILLO
RANDALL T. ENG
SHERI S. ROMAN, JJ.

2008-10262

DECISION & ORDER ON APPLICATION
Application to Withdraw Appeal

Dominick C. Musto, respondent,
v Jerry Resnick, appellant.

(Index No. 5133/06)

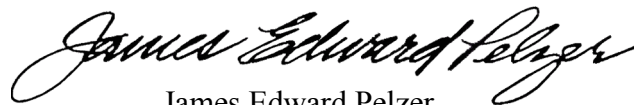
Application by the appellant for leave to withdraw an appeal from an order of the Supreme Court, Nassau County, dated October 7, 2008.

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

ORDERED that the application is granted and the appeal is deemed withdrawn, without costs or disbursements.

FISHER, J.P., FLORIO, ANGIOLILLO, ENG and ROMAN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 2, 2009

MUSTO v RESNICK