

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

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E/sl

STEVEN W. FISHER, J.P.
FRED T. SANTUCCI
RANDALL T. ENG
L. PRISCILLA HALL, JJ.

2009-05396

DECISION & ORDER ON MOTION
Motion to Dismiss Appeal

Linda R. Daughtry Bozeman, appellant,
v Richard Olivio, et al., respondents, et al.,
defendants.

(Index No. 21284/08)

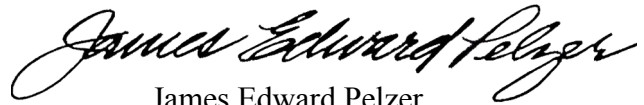
Motion by the respondents Richard Olivio and Alan Finkelstein, inter alia, to dismiss an appeal from an order of the Supreme Court, Kings County, dated January 6, 2009, on the ground that the notice of appeal was not timely served.

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

ORDERED that the motion is denied.

FISHER, J.P., SANTUCCI, ENG and HALL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

September 3, 2009

BOZEMAN v OLIVIO