

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

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E/sl

FRED T. SANTUCCI, J.P.
HOWARD MILLER
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2008-10244

DECISION & ORDER ON MOTION

Z Halo, appellant, v Dem Construction
Co., et al., respondents.

(Index No. 02-2581)

Motion by the respondents to dismiss an appeal from a judgment of the Supreme Court, Rockland County, dated September 12, 2008, for failure to timely perfect.

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

ORDERED that the motion is granted and the appeal is dismissed, without costs or disbursements, for failure to timely perfect in accordance with the rules (*see* 22 NYCRR 670.8[e]) and prior orders of this court.

SANTUCCI, J.P., MILLER, BALKIN and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 3, 2009

Z HALO v DEM CONSTRUCTION CO.