

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

M91627  
T/sl

HOWARD MILLER, J.P.  
CHERYL E. CHAMBERS  
PLUMMER E. LOTT  
SHERI S. ROMAN, JJ.

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2009-07436

DECISION & ORDER ON MOTION

In the Matter of Joseph T. Russell, respondent,  
v Jennifer Russell, appellant.

(Docket Nos. V-14667-05, V-14668-05)

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Motion by the appellant to stay enforcement of an order of the Family Court, Suffolk County, dated July 8, 2009, pending hearing and determination of an appeal therefrom.

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

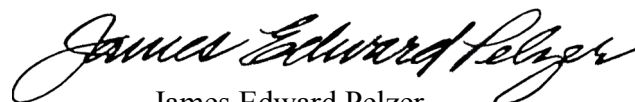
ORDERED that the motion is granted, and enforcement of the order is stayed pending hearing and determination of the appeal on condition that the appeal is perfected on or before October 5, 2009; and it is further,

ORDERED that in the event the appeal is not perfected on or before October 5, 2009, the court, on its own motion, may vacate the stay, or the respondent may move to vacate the stay, on three days notice; and it is further,

ORDERED that pending hearing and determination of the appeal the custody and visitation provisions of the order of the Family Court, Suffolk County, dated January 11, 2008, shall remain in effect.

MILLER, J.P., CHAMBERS, LOTT and ROMAN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

September 8, 2009

MATTER OF RUSSELL v RUSSELL