

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

M92233
S/sl

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
ROBERT A. SPOLZINO
PETER B. SKELOS, JJ.

2009-08552

DECISION & ORDER ON MOTION

Tichar Charczuk, appellant,
v John Charczuk, respondent.

(Index No. 34172-07)

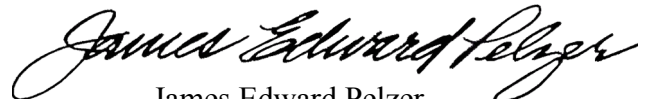
Appeal by Tichar Charczuk from an order of the Supreme Court, Suffolk County, dated August 7, 2009.

Now, on the court's own motion, it is

ORDERED that the appeal is dismissed, without costs or disbursements, as the order is not appealable as of right and leave to appeal has not been granted (*see* CPLR 5701), without prejudice to entry of an interlocutory judgment and taking an appeal therefrom.

PRUDENTI, P.J., MASTRO, RIVERA, SPOLZINO and SKELOS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 22, 2009

CHARCZUK v CHARCZUK