

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

M92322
M/cb

PETER B. SKELOS, J.P.
FRED T. SANTUCCI
ARIEL E. BELEN
L. PRISCILLA HALL, JJ.

2009-05985

DECISION & ORDER ON MOTION

In the Matter of Benjamin Mack, respondent,
v Danielle Kass, appellant.

(Docket No. F-17580-04)

Appeal by Danielle Kass from an order of the Family Court, Kings County, dated June 2, 2009. By order to show cause dated August 18, 2009, the parties or their attorneys were directed to show cause why an order should or should not be made and entered dismissing the appeal in the above-entitled proceeding for failure to comply with a scheduling order dated July 6, 2009, issued pursuant to 22 NYCRR 670.4(a)(2).

Now on the court's own motion, and no papers having been filed in opposition or relation thereto, it is

ORDERED that the motion is granted and the appeal is dismissed, without costs or disbursements.

SKELOS, J.P., SANTUCCI, BELEN and HALL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 24, 2009

MATTER OF MACK v KASS