

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

M92348  
E/sl

REINALDO E. RIVERA, J.P.  
ANITA R. FLORIO  
RANDALL T. ENG  
JOHN M. LEVENTHAL, JJ.

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2009-08365

DECISION & ORDER ON MOTION

In the Matter of Yael Hirsh, petitioner,  
v Michael Z. Stern, respondent.

(Docket No. O-240/09)

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Motion by Michael Z. Stern for leave to appeal to this court from an order of the Supreme Court, Nassau County (IDV Part), dated August 31, 2009, and, inter alia, to stay enforcement of a certain order of protection pending hearing and determination of the appeal.

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

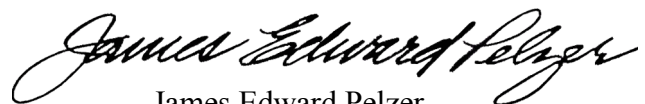
ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that on the court's own motion, the appeal purportedly taken as of right is dismissed, without costs or disbursements; and it is further,

ORDERED that the motion is otherwise denied as academic.

RIVERA, J.P., FLORIO, ENG and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

September 24, 2009

MATTER OF HIRSH v STERN