

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

M148956
E/mv

WILLIAM F. MASTRO, J.P.
PLUMMER E. LOTT
LEONARD B. AUSTIN
SANDRA L. SGROI, JJ.

2012-05068, 2012-11474

DECISION & ORDER ON MOTION

Marisol Puello, appellant,
v Marcellus M. Rakowicz, respondent.

(Index No. 11930/10)

Motion by the appellant pursuant to CPLR 5520(c) to deem a notice of appeal from an order of the Supreme Court, Suffolk County, dated May 4, 2012, to be a premature notice of appeal from a judgment of the same court entered June 7, 2012.

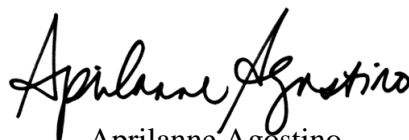
Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that on the Court's own motion, the notice of appeal from the order is deemed also to be a notice of appeal from the judgment (*see* CPLR 5501[c]); and it is further,

ORDERED that the motion is denied as academic.

MASTRO, J.P., LOTT, AUSTIN and SGROI, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

January 2, 2013

PUELLO v RAKOWICZ