

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

996

CA 19-00921

PRESENT: WHALEN, P.J., LINDLEY, DEJOSEPH, NEMOYER, AND TROUTMAN, JJ.

THOMAS H. O'NEILL, JR., PLAINTIFF-RESPONDENT,

V

ORDER

ROSE R. O'NEILL, DEFENDANT-APPELLANT.

REICH/EMERSON LLP, BUFFALO (SHARI JO REICH OF COUNSEL), FOR
DEFENDANT-APPELLANT.

JAMES P. RENDA, BUFFALO, FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered March 19, 2019 in a divorce action. The order denied defendant's motion to enlarge the record on appeal.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on October 11, 2019,

It is hereby ORDERED that said appeal is unanimously dismissed without costs upon stipulation.

Entered: November 8, 2019

Mark W. Bennett
Clerk of the Court