

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

D12553
A/nl

_____AD3d_____

Argued - January 20, 2006

ROBERT W. SCHMIDT, J.P.
REINALDO E. RIVERA
PETER B. SKELOS
ROBERT A. LIFSON, JJ.

2004-08274

DECISION & ORDER

In the Matter of Annette I. (Anonymous).
Verna Eggleston, etc., respondent;
Wendy Johnston, nonparty-appellant.

(Index No. 100066/03)

Anthony M. Bramante, Brooklyn, N.Y., for nonparty-appellant.

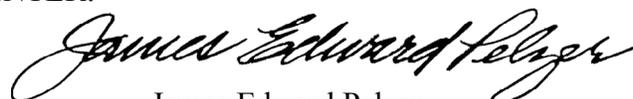
Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Leonard Koerner and
Ronald E. Sternberg of counsel), for respondent.

In a proceeding pursuant to Mental Hygiene Law article 81 to appoint a guardian for the person and property of Annette I., an alleged incapacitated person, the nonparty-appellant, Wendy Johnston, appeals from a resettled order and judgment (one paper) of the Supreme Court, Kings County (Barros, J.), entered August 9, 2004, which, inter alia, appointed a guardian for the person and property of Annette I.

ORDERED that the appeal is dismissed, without costs or disbursements, as the appellant is not aggrieved by the resettled order and judgment (*see* CPLR 5511).

SCHMIDT, J.P., RIVERA, SKELOS and LIFSON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 8, 2006

MATTER OF I. (ANONYMOUS), ANNETTE