

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

D15943  
O/gts

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Submitted - June 13, 2007

WILLIAM F. MASTRO, J.P.  
DAVID S. RITTER  
PETER B. SKELOS  
EDWARD D. CARNI  
WILLIAM E. McCARTHY, JJ.

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2006-07874

DECISION & ORDER

Deutsche Bank National Trust Company,  
respondent, v Linda Ajim, appellant.

(Index No. 14660/04)

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Richard J. Zeitler, Jr., Hicksville, N.Y., for appellant.

Steven J. Baum, P.C., Buffalo, N.Y. (Adam L. Gross of counsel), for respondent.

In an action to foreclose a mortgage, the defendant appeals from an order of the Supreme Court, Nassau County (Palmieri, J.), dated July 25, 2006, which denied her motion, in effect, to vacate a judgment of foreclosure entered March 8, 2005, upon her default, and to set aside the sale of the property pursuant to the judgment.

ORDERED that the order is affirmed, with costs.

The Supreme Court providently exercised its discretion in denying the defendant's motion because she failed to present a reasonable excuse for her default in answering or appearing (*see Sime v Ludhar*, 37 AD3d 817; *Lemberger v Congregation Yetev Lev D'Satmar, Inc.*, 33 AD3d 671, 671-672; *NYCTL 1998-2 Trust v Avila*, 29 AD3d 965; *Bank of N.Y. v Lagakos*, 27 AD3d 678, 679; *NYCTL-1 Trust v Liberty Bay Realty Corp.*, 21 AD3d 1013, 1014).

MASTRO, J.P., RITTER, SKELOS, CARNI and McCARTHY, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

September 4, 2007

DEUTSCHE BANK NATIONAL TRUST COMPANY v AJIM