

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

D15962
Y/gts

_____AD3d_____

Submitted - June 11, 2007

HOWARD MILLER, J.P.
GLORIA GOLDSTEIN
STEVEN W. FISHER
JOSEPH COVELLO, JJ.

2007-01276

DECISION & ORDER

Lisa Salem, plaintiff-respondent,
v Carl Mott, defendant.
(Matter No. 1)

(Index No. 12090/04)

In the Matter of Lisa Salem, petitioner-
respondent, v CMS Monitoring, Inc., appellant.
(Matter No. 2)

(Index No. 22670/04)

Richman & Levine, P.C. (Keith H. Richman of counsel), for appellant.

Farley & Kessler, P.C. (Richard L. Farley of counsel), for respondent.

Appeal by CMS Monitoring, Inc., as limited by its brief, from so much of an order of the Supreme Court, Suffolk County (Cohen, J.), dated January 19, 2007, as granted the motion of Lisa Salem for payment of legal fees and directed it to pay the sum of \$18,000 to Farley & Kessler, P.C.

ORDERED that the appeal is dismissed, with costs.

August 7, 2007

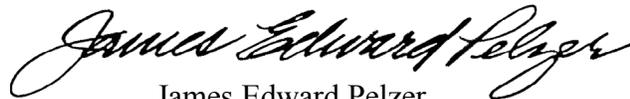
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SALEM v MOTT
MATTER OF SALEM v CMS MONITORING, INC.

“It is the appellant’s obligation to assemble a proper record on appeal” (*Cohen v Wallace & Minchenberg*, 39 AD3d 689, 689). Where, as here, meaningful appellate review of the Supreme Court’s determination is made virtually impossible because of the incomplete nature of the record submitted, dismissal of the appeal is the appropriate disposition (*id.*; see *Matter of Allstate Ins. Co. v Vargas*, 288 AD2d 309, 310; *Singh v Getty Petroleum Corp.*, 275 AD2d 740).

MILLER, J.P., GOLDSTEIN, FISHER and COVELLO, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court