

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

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_____AD3d_____

Submitted - January 30, 2009

WILLIAM F. MASTRO, J.P.
RUTH C. BALKIN
THOMAS A. DICKERSON
ARIEL E. BELEN, JJ.

2008-04445

DECISION & ORDER

In the Matter of Akieba McC. (Anonymous), appellant.

(Docket No. D-5537-07)

Lawrence A. Weinreich, Plainview, N.Y., for appellant.

Lorna B. Goodman, County Attorney, Mineola, N.Y. (Gerald R. Podlesak of counsel), for respondent.

In a juvenile delinquency proceeding pursuant to Family Court Act article 3, the appeal is from an order of the Family Court, Nassau County (Marks, J.), dated March 25, 2008, which granted an adjournment in contemplation of dismissal of the underlying juvenile delinquency proceeding.

ORDERED that the appeal from the order is dismissed, without costs or disbursements.

The order appealed from is not appealable as of right (*see* Family Ct Act § 365.1[1]; *Matter of Edwin L.*, 88 NY2d 593, 600-601; *Matter of Jeffrey M.*, 62 AD2d 858, 860), and we decline to grant leave to appeal (*see Matter of Toniqua A.*, 7 AD3d 792, 793).

MASTRO, J.P., BALKIN, DICKERSON and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 31, 2009

MATTER OF McC. (ANONYMOUS), AKIEBA