

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

D32287  
G/kmb

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Submitted - September 7, 2011

PETER B. SKELOS, J.P.  
DANIEL D. ANGIOLILLO  
PLUMMER E. LOTT  
SHERI S. ROMAN, JJ.

2010-06552

DECISION & ORDER

CitiMortgage, Inc., respondent, v Gloria  
Thorpe, appellant, et al., defendants.

(Index No. 15498/08)

Gloria Thorpe, Springfield Gardens, N.Y., appellant pro se.

DeRose & Surico, Bayside, N.Y. (Bruce H. Ashbahian of counsel), for respondent.

In an action to foreclose a mortgage, the defendant appeals from an order of the Supreme Court, Queens County (Agate, J.), dated June 11, 2010, which denied her motion to vacate a judgment of foreclosure and sale entered upon her default in appearing or answering.

ORDERED that the appeal is dismissed, with costs.

“It is the obligation of the appellant to assemble a proper record on appeal, which must contain all of the relevant papers that were before the Supreme Court” (*Wen Zong Yu v Hua Fan*, 65 AD3d 1335, 1335; *see* CPLR 5526; *Block 6222 Constr. Corp. v Sobhani*, 84 AD3d 1292; *Keita v United Parcel Serv.*, 65 AD3d 571; *Cohen v Wallace & Minchenberg*, 39 AD3d 689). Here, the record is inadequate because it does not include all of the relevant papers and documents that were before the Supreme Court, e.g., the process server’s affidavit of service and the default order dated February 4, 2010, both of which were submitted by the plaintiff in opposition to the defendant’s motion (*see Wen Zong Yu v Hua Fan*, 65 AD3d 1335; *Cohen v Wallace & Minchenberg*, 39 AD3d 689; *Matter of Allstate Ins. Co. v Vargas*, 288 AD2d 309, 310). Since the record is inadequate to enable this Court to render an informed decision on the merits, the appeal must be dismissed (*see*

*LaSalle Bank N.A. v Henderson*, 69 AD3d 679, 680; *Wen Zong Yu v Hua Fan*, 65 AD3d 1335; *Keita v United Parcel Serv.*, 65 AD3d 571).

SKELOS, J.P., ANGIOLILLO, LOTT and ROMAN, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Matthew G. Kiernan". The signature is written in a cursive style with a large, prominent "M".

Matthew G. Kiernan  
Clerk of the Court