

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

D36483
N/ct

_____AD3d_____

Submitted - October 16, 2012

REINALDO E. RIVERA, J.P.
CHERYL E. CHAMBERS
L. PRISCILLA HALL
PLUMMER E. LOTT, JJ.

2011-08873

DECISION & ORDER

US Bank National Association, etc., respondent, v Fidelis
Mgbeahuru, appellant, et al., defendant.

(Index No. 12830/09)

Fidelis Mgbeahuru, Uniondale, N.Y., appellant pro se.

Hogan Lovells US LLP, New York, N.Y. (Chava Brandriss, David Dunn, and Brian
S. McGrath of counsel), for respondent.

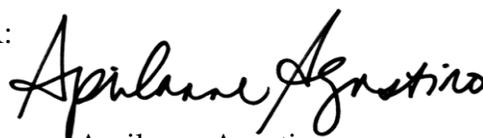
In an action to foreclose a mortgage, the defendant Fidelis Mgbeahuru appeals from an order of the Supreme Court, Nassau County (Adams, J.), entered August 2, 2011, which denied his motion for leave to reargue his prior motion, inter alia, pursuant to CPLR 3211(a)(8) to dismiss the complaint insofar as asserted against him for lack of personal jurisdiction, which had been determined in a prior order of the same court entered May 13, 2011.

ORDERED that the appeal is dismissed, with costs.

The appeal from the order must be dismissed, because no appeal lies from an order denying leave to reargue (*see Das v Sun Wah Rest.*, 99 AD3d 752; *Blackwell v Mikevin Mgt. III, LLC*, 88 AD3d 836).

RIVERA, J.P., CHAMBERS, HALL and LOTT, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

November 21, 2012

US BANK NATIONAL ASSOCIATION v MGBEAHURU