

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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CA 19-01472

PRESENT: CENTRA, J.P., CARNI, LINDLEY, NEMOYER, AND TROUTMAN, JJ.

US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR
RASC 2006KS2, PLAINTIFF-APPELLANT,

V

ORDER

LYNDA A. GOODHUE, DEFENDANT-RESPONDENT,
ET AL., DEFENDANTS.
(APPEAL NO. 2.)

RAS BORISKIN, LLC, WESTBURY (CHRISTOPHER LESTAK OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

LAW OFFICE OF PETER D. GRUBEA, WILLIAMSVILLE (JOSEPH E. DEMARCO OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered December 19, 2018. The order, insofar as appealed from, denied the motion of plaintiff to restore the action to the calendar and for a judgment of foreclosure and sale.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (*see Loafin' Tree Rest. v Pardi* [appeal No. 1], 162 AD2d 985, 985 [4th Dept 1990]; *Public Serv. Truck Renting v Ambassador Ins. Co.*, 136 AD2d 911, 911 [4th Dept 1988]).

Entered: March 13, 2020

Mark W. Bennett
Clerk of the Court