

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

**491**

**CA 09-01013**

PRESENT: MARTOCHE, J.P., CENTRA, FAHEY, PERADOTTO, AND PINE, JJ.

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WINFORD H. LEWIS, PLAINTIFF-RESPONDENT,

V

ORDER

MARY ELIZABETH LEWIS, ALSO KNOWN AS BETSY  
LEWIS, DEFENDANT-APPELLANT.  
(APPEAL NO. 1.)

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UNDERBERG & KESSLER LLP, ROCHESTER (JENNIFER A. MEREAU OF COUNSEL),  
FOR DEFENDANT-APPELLANT.

LAW OFFICES OF MAURICE J. VERRILLO, P.C., ROCHESTER (MAURICE J.  
VERRILLO OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Monroe County (Philip B. Dattilo, Jr., R.), entered June 28, 2008 in a divorce action. The order, insofar as appealed from, directed defendant to pay maintenance to plaintiff.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (*see Matter of Eric D.* [appeal No. 1], 162 AD2d 1051).

Entered: April 30, 2010

Patricia L. Morgan  
Clerk of the Court