

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

M243889

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MARK C. DILLON, J.P.
SYLVIA O. HINDS-RADIX
JOSEPH J. MALTESE
HECTOR D. LASALLE, JJ.

2017-04276

DECISION & ORDER ON MOTION

Vaia Bekas, appellant, v Stamatiki Valiotis,
respondent.

(Index No. 9939/14)

Motion by the appellant pro se on an appeal from an order of the Supreme Court, Queens County, dated February 27, 2017, to waive compliance with the requirements of 22 NYCRR 670.10.2(f) regarding certification of the appellant's appendix. Separate motion by the respondent, in effect, to dismiss the appeal on the ground that the appellant's appendix is inadequate or, in the alternative, to enlarge the time to serve and file a brief.

Upon the papers filed in support of the appellant's motion and the papers filed in opposition thereto, and upon the papers filed in support of the respondent's motion and no papers having been filed in opposition or in relation thereto, it is

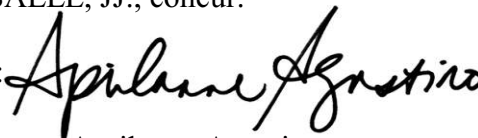
ORDERED that the branch of the motion which is, in effect, to dismiss the appeal is denied on condition that on or before January 29, 2018, the appellant serve and file a supplemental appellant's appendix which contains all of the papers filed in connection with the motion that was determined by the order dated February 27, 2017, and which are not contained in the appellant's appendix previously filed; and it is further,

ORDERED that the branch of the motion which is to enlarge the respondent's time to serve and file a brief is granted, the respondent's time to serve and file a brief is enlarged until February 28, 2018, and the respondent's brief shall be served and filed on or before that date; and it is further,

ORDERED that the appellant's motion is denied with leave to renew by a motion made simultaneously with the filing of the supplemental appendix.

DILLON, J.P., HINDS-RADIX, MALTESE and LASALLE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 2, 2018

BEKAS v VALIOTIS