

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

M244052  
E/afa

L. PRISCILLA HALL, J.P.  
SANDRA L. SGROI  
JEFFREY A. COHEN  
FRANCESCA E. CONNOLLY, JJ.

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2017-09653, 2017-09657

DECISION & ORDER ON MOTION

Daniel Cafferata, appellant,  
v Gerilyn Cafferata, respondent.

(Index No. 50583/13)

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Appeals by Daniel Cafferata from an order of the Supreme Court, Richmond County, dated April 13, 2017, and a judgment of the same court dated July 26, 2017. By order to show cause dated November 17, 2017, the parties were directed to show cause before this Court why an order should or should not be made and entered dismissing the appeals in the above-entitled action for failure to comply with a scheduling order dated September 27, 2017, issued pursuant to § 670.4(a)(2) of the rules of this Court (22 NYCRR 670.4[a][2]).

Now, upon the order to show cause and the papers filed in response thereto, it is

ORDERED that the motion to dismiss the appeals is granted, and the appeals are dismissed, without costs or disbursements, for failure to comply with the scheduling order dated September 27, 2017, issued pursuant to § 670.4(a)(2) of the rules of this Court (22 NYCRR 670.4[a][2]).

HALL, J.P., SGROI, COHEN and CONNOLLY, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

January 2, 2018

CAFFERATA v CAFFERATA