

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

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

2017-09236

DECISION & ORDER ON MOTION

In the Matter of Rudy Cuthrell, appellant,
v Veronica Cuthrell, respondent.

(Docket No. V-3387-17)

Appeal by Rudy Cuthrell from an order of the Family Court, Richmond County, dated August 14, 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 appeal in the above-entitled proceeding for failure to comply with a scheduling order dated September 26, 2017, issued pursuant to § 670.4(a)(2) of the rules of this Court (22 NYCRR 670.4[a][2]). Application by the appellant to withdraw the appeal.

Now, upon the order to show cause and the papers filed in response thereto, and the papers filed in support of the application and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion to dismiss the appeal is denied; and it is further

ORDERED that the application is granted and the appeal is deemed withdrawn, without costs or disbursements.

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

ENTER:



Aprilanne Agostino
Clerk of the Court

January 2, 2018

MATTER OF CUTHRELL v CUTHRELL