

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

M244247
E/afa

MARK C. DILLON, J.P.
JOHN M. LEVENTHAL
FRANCESCA E. CONNOLLY
VALERIE BRATHWAITE NELSON, JJ.

2016-12109

DECISION & ORDER ON MOTION

M & T Bank, appellant, v Michael
Delvecchio, etc., respondent.

(Index No. 607752/15)

Motion by the respondent to dismiss an appeal from an order of the Supreme Court, Suffolk County, dated October 12, 2016, for failure to comply with an order on application of this Court dated July 18, 2017, or, in the alternative, to enlarge the time to serve and file a brief.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied.

DILLON, J.P., LEVENTHAL, CONNOLLY and BRATHWAITE NELSON, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 3, 2018

M & T BANK v DELVECCHIO