

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

M244301
E/afa

JOHN M. LEVENTHAL, J.P.
CHERYL E. CHAMBERS
ROBERT J. MILLER
COLLEEN D. DUFFY, JJ.

2017-08991

ORDER TO SHOW CAUSE

Citimortgage, Inc., respondent,
v Nityanand Kalicharan, appellant,
et al., defendants.

(Index No. 701613/14)

Motion by the appellant, inter alia, to stay the sale of the subject premises, pending hearing and determination of an appeal from a judgment of the Supreme Court, Queens County, dated January 14, 2015.

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

ORDERED that the motion is denied; and it is further,

ORDERED that on the Court's own motion, the parties are 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 action on the ground that no appeal lies from a judgment entered upon the default of the appealing party (*see* CPLR 5511), by each filing an affirmation or affidavit on that issue in the office of the Clerk of this Court and serving one copy of the same on each other on or before January 26, 2018; and it is further,

ORDERED that the Clerk of this Court, or her designee, is directed to serve a copy of this order to show cause upon the parties by regular mail.

LEVENTHAL, J.P., CHAMBERS, MILLER and DUFFY, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 5, 2018

CITIMORTGAGE, INC. v KALICHARAN