

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

M244653  
E/rr

RUTH C. BALKIN, J.P.  
LEONARD B. AUSTIN  
SHERI S. ROMAN  
SANDRA L. SGROI, JJ.

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2017-07448, 2017-08982

DECISION & ORDER ON MOTION

Caliber Home Loans, Inc., respondent  
v Lawrence M. Pesce, et al., appellants.

(Index No. 1449/13)

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Motion by the appellants to stay all proceedings in the above-entitled action and the sale of the subject premises, pending hearing and determination of appeals from two orders of the Supreme Court, Putnam County, dated May 30, 2017, and July 5, 2017, respectively, and to enlarge the time to perfect the appeals.

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

ORDERED that on the Court's own motion, the appeal from the order dated July 5, 2017, is dismissed, without costs or disbursements, on the ground that no appeal lies as of right from an order that is not the result of a motion made on notice (*see* CPLR 5701), and leave to appeal has not been granted; and it is further,

ORDERED that the branch of the motion which is to stay all proceedings in the above-entitled action and the sale of the subject premises is denied; and it is further,

ORDERED that the branch of the motion which is to enlarge the time to perfect the appeal from the order dated May 30, 2017, is granted, the appellants' time to perfect that appeal is enlarged until March 12, 2018, and the record or appendix on the appeal and the appellants' brief shall be served and filed on or before that date; and it is further,

January 17, 2018

CALIBER HOME LOANS, INC. v PESCE

Page 1.

ORDERED that the branch of the motion which is to enlarge the time to perfect the appeal from the order dated July 5, 2017, is denied as academic.

BALKIN, J.P., AUSTIN, ROMAN and SGROI, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino  
Clerk of the Court