

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

M244713
E/afa

L. PRISCILLA HALL, J.P.
LEONARD B. AUSTIN
SANDRA L. SGROI
LINDA CHRISTOPHER, JJ.

2017-06788

DECISION & ORDER ON MOTION

US Bank Bank, National Association, appellant,
v Masashi Michael Kinui, et al., respondents, et
al., defendants.

(Index No. 14756/09)

Motion by the respondents to dismiss an appeal from an order of the Supreme Court, Westchester County, entered September 27, 2016, as untimely taken. Application by the appellant to withdraw the appeal.

Upon the papers filed in support of the motion and the application, and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the application is granted and the appeal is deemed withdrawn, without costs or disbursements; and it is further,

ORDERED that the motion is denied as academic.

HALL, J.P., AUSTIN, SGROI and CHRISTOPHER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 23, 2018

US BANK NATIONAL ASSOCIATION v KINUI