

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

M245315  
E/rr

MARK C. DILLON, J.P.  
LEONARD B. AUSTIN  
ROBERT J. MILLER  
SYLVIA O. HINDS-RADIX, JJ.

---

2016-03580

DECISION & ORDER ON MOTION

Veta Brown, plaintiff-respondent,  
v Home Sales, Inc., defendant-respondent,  
Eric Tenn Thomas, Jr., appellant, et al., defendants.

(Index No. 504151/15)

---

2017-04935, 2017-04936

Veta Brown, plaintiff-respondent,  
v Home Sales, Inc., defendant-respondent,  
Eric Tenn Thomas, Jr., appellant, et al., defendants.

(Index No. 504151/15)

---

Motion by the appellant to recall and vacate so much of a decision and order on motion of this Court, entitled “in the Matter of the Dismissal of Causes for Failure to Perfect,” dated July 5, 2017, as dismissed an appeal from an order of the Supreme Court, Kings County, dated January 26, 2016, pursuant to 22 NYCRR 670.8(e) for failure to timely perfect, to reinstate the appeal, to consolidate the appeal with appeals from two orders of the Supreme Court, Kings County, both dated April 18, 2017, and to enlarge the time to perfect the appeals. Cross motion to dismiss the appeal from the order dated January 26, 2016, for failure to timely perfect.

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

ORDERED that the branches of the motion which are to recall and vacate so much of the decision and order on motion dated July 5, 2017, as dismissed the appeal from the order dated January 26, 2016, and to reinstate that appeal are denied; and it is further,

ORDERED that the branches of the motion which are to consolidate the appeals and to enlarge the time to perfect the appeal from the order dated January 26, 2016, are denied as academic; and it is further,

ORDERED that the branches of the motion which are to enlarge the time to perfect the appeals from the orders dated April 18, 2017, are granted, and the appellant's time to perfect those appeals is enlarged until March 30, 2018; and it is further,

ORDERED that the cross motion is denied as academic.

DILLON, J.P., AUSTIN, MILLER and HINDS-RADIX, JJ., concur.

ENTER:

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

Aprilanne Agostino  
Clerk of the Court