

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

M245322
E/rr

ALAN D. SCHEINKMAN, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
MARK C. DILLON
RUTH C. BALKIN, JJ.

2018-00410

DECISION & ORDER ON MOTION

Nadine Leach, appellant,
v State of New York, respondent.

(Claim No. 128561)

Motion by the appellant to enlarge the time to perfect an appeal from an order of the Court of Claims dated December 20, 2016. By order of the Appellate Division of the Supreme Court in the Third Judicial Department dated January 4, 2018, the appeal and the motion were transferred to this Court for hearing and determination.


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

ORDERED that on the Court's own motion, the appeal is dismissed, without costs or disbursements, on the ground that no appeal lies from an order entered upon the default of the appealing party (*see* CPLR 5511); and it is further,

ORDERED that the motion is denied as academic.

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

January 29, 2018

LEACH v STATE OF NEW YORK