

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

M245361  
E/afa

RUTH C. BALKIN, J.P.  
LEONARD B. AUSTIN  
VALERIE BRATHWAITE NELSON  
LINDA CHRISTOPHER, JJ.

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2016-08540, 2016-08541

DECISION & ORDER ON MOTION

HSBC Bank USA, National Association, etc.,  
respondent, v Jay Giardina, appellant, et al.,  
defendant.

(Index No. 50682/14)

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Motion by the respondent to dismiss appeals from two orders of the Supreme Court, Dutchess County, both dated June 22, 2016, for failure to timely perfect.

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 the motion is granted, and the appeals are dismissed, without costs or disbursements (*see* 22 NYCRR 670.8[e]).

BALKIN, J.P., AUSTIN, BRATHWAITE NELSON and CHRISTOPHER, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

January 30, 2018

HSBC BANK USA, NATIONAL ASSOCIATION v GIARDINA