

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

M245362
E/afa

MARK C. DILLON, J.P.
JOHN M. LEVENTHAL
FRANCESCA E. CONNOLLY
VALERIE BRATHWAITE NELSON, JJ.

2016-06591, 2017-06099

DECISION & ORDER ON MOTION

In the Matter of Rogers B. B. (Anonymous),
respondent; Fernando A. B. (Anonymous),
appellant.

(Index No. 2317/16)

Motion by the respondent to strike stated portions of the appellant's appendix and the appellant's brief on appeals from an order and judgment (one paper) of the Supreme Court, Queens County, dated May 27, 2016, and an order of the same court entered April 21, 2017, on the ground that they contain or refer to matter de hors the record.

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 held in abeyance and referred to the panel of Justices hearing the appeals for determination upon the argument or submission thereof.

DILLON, J.P., LEVENTHAL, CONNOLLY and BRATHWAITE NELSON, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 30, 2018

MATTER OF B. (ANONYMOUS), ROGERS B.