

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

M245399

E/rr

ALAN D. SCHEINKMAN, P.J.
JOHN M. LEVENTHAL
BETSY BARROS
VALERIE BRATHWAITE NELSON, JJ.

2017-08145, 2017-08146

DECISION & ORDER ON MOTION

Gary Dove, respondent, v 143 School St.
Realty Corp., et al., appellants.

(Index No. 57952/16)

2017-12909

Gary Dove, respondent, v 143 School St.
Realty Corp., et al., appellants.

(Index No. 57952/16)

Motion by the appellants on appeals from two orders of the Supreme Court, Westchester County, dated May 22, 2017, and November 30, 2017, and a judgment of the same court dated May 24, 2017, to stay enforcement of the judgment and to stay the sale, transfer, or other disposition of the subject premises, pending hearing and determination of the appeals

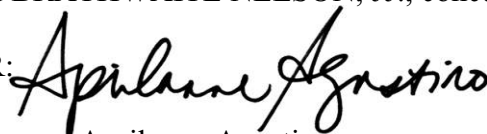
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that on the Court's own motion, the appeal from the order dated May 22, 2017, is dismissed, without costs or disbursements, on the ground that the right of direct appeal therefrom terminated upon entry of the judgment (*see Matter of Aho*, 39 NY2d 241); the issues raised on the appeal from that order may be brought up for review and raised on the appeal from the judgment; and it is further,

ORDERED that the motion is denied.

SCHEINKMAN, P.J., LEVENTHAL, BARROS and BRATHWAITE NELSON, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 30, 2018

DOVE v 143 SCHOOL ST. REALTY CORP.