

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

M245410
/afa

2017-12115

SCHEDULING ORDER

In the Matter of Roger Dupont, respondent-appellant, v Antoinise Gaston, appellant-respondent; A. D., et al., nonparty-appellants.

(Docket Nos. V-51-16/16D-F, V-52-16/16D-F, O-8-16, O-80-16/16B)

Appeal by Antoinise Gaston, separate appeal by A. D. and P. D., and cross appeal by Roger Dupont, from an order of the Family Court, Rockland County, dated October 6, 2017. By order on certification of this Court dated December 27, 2017, the following attorney was assigned as counsel for the appellant-respondent on the appeal:

Arleen Lewis, Esq.
P.O. Box 219
Blauvelt, NY 10913
845-359-2149

By letter dated January 26, 2018, the assigned counsel has informed this Court that the appellant-respondent wishes to proceed with her appeal. Pursuant to § 670.4(a) of the rules of this Court (22 NYCRR 670.4[a]), it is

ORDERED that the appeal by Antoinise Gaston in the above-entitled proceeding shall be perfected either within 60 days after the receipt by the assigned counsel of the transcripts of the minutes of the proceedings in the Family Court, and the assigned counsel shall notify this Court by letter of the date the transcripts are received, or, if there are no minutes of proceedings to be transcribed, within 60 days of the date of this scheduling order; and it is further,

ORDERED that within 30 days after the date of this scheduling order, the assigned counsel shall file in the office of the Clerk of this Court one of the following:

(1) an affidavit or affirmation stating that there are no minutes of any Family Court proceeding to be transcribed for the appeals and cross appeal; or

January 31, 2018

MATTER OF DUPONT v GASTON

Page 1.

(2) if there are such minutes, an affidavit or affirmation stating that the transcript has been received, and indicating the date received; or

(3) if the transcript has not been received, an affidavit or affirmation stating that the order on certification of this Court dated December 27, 2017, has been served upon the clerk of the court from which the appeals and cross appeal are taken, the date thereof, and the date by which the transcript is expected; or

(4) an affidavit or an affirmation withdrawing the appeal by Antoinise Gaston; and it is further,

ORDERED that if none of the above actions described in (1), (2), (3), or (4) above, has been taken within 30 days of the date of this scheduling order, the Clerk of this Court shall issue an order to all parties to the appeals and cross appeal to show cause why the appeal by Antoinise Gaston should or should not be dismissed.

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

The Case Manager assigned to this case is Ms. Vazquez. Please contact her at 718-722-6488 with any questions.