

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

M245624

E/rr

REINALDO E. RIVERA, J.P.
ROBERT J. MILLER
SYLVIA O. HINDS-RADIX
JOSEPH J. MALTESE, JJ.

2016-11264

ORDER TO SHOW CAUSE

In the Matter of Travon Hylton, respondent,
v Deandra Nereida Delvalle, appellant.

(Docket No. V-19912-12/13A)

Motion by counsel assigned to prosecute an appeal from an order of the Family Court, Kings County, dated August 23, 2016, in effect, to be relieved of the assignment on the ground that no appeal lies from an order entered upon the default of the appealing party.

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 parties are directed to show cause before this Court why an order should or should not be made and entered dismissing the appeal in the above-entitled proceeding on the ground that no appeal lies from an order entered upon the default of the appealing party (*see* CPLR 5511), by each filing an affirmation or affidavit on that issue in the office of the Clerk of this Court and serving one copy of the same on each other on or before February 23, 2018; and it is further,

ORDERED that the motion by the appellant's assigned counsel is held in abeyance in the interim; and it is further,

ORDERED that the Clerk of this Court, or her designee, is directed to serve a copy of this order to show cause upon the parties by regular mail.

RIVERA, J.P., MILLER, HINDS-RADIX and MALTESE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 2, 2018

MATTER OF HYLTON v DELVALLE