

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

M245632
E/rr

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

2017-10631

DECISION & ORDER ON MOTION

In the Matter of Alivia F. (Anonymous).
Suffolk County Department of Social Services,
petitioner-respondent; John F. (Anonymous),
respondent-appellant.
(Proceeding No. 1)

In the Matter of Ayden F. (Anonymous).
Suffolk County Department of Social Services,
petitioner-respondent; John F. (Anonymous),
respondent-appellant.
(Proceeding No. 2)

(Docket Nos. N-8564-17, N-8565-17)

Appeal by John F. from an order of the Family Court, Suffolk County, dated September 8, 2017. By order to show cause dated December 19, 2017, the parties were 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 proceedings for failure to comply with a scheduling order dated November 1, 2017, issued pursuant to § 670.4(a)(2) of the rules of this Court (22 NYCRR 670.4[a][2]).

Now, upon the order to show cause and the papers filed in response thereto, it is

ORDERED that the motion to dismiss the appeal is denied; and it is further,

ORDERED that pursuant to § 670.4(a) of the rules of this Court (22 NYCRR 670.4[a]), within 30 days of the date of this decision and order on motion, the appellant shall file in the office of the Clerk of this Court an affidavit or affirmation stating that the transcript was received and indicating the date that it was received, or, if the transcript was not received, an affidavit or affirmation stating that it was ordered and paid for, the date thereof, and the date by which the transcript was expected; and it is further,

February 6, 2018

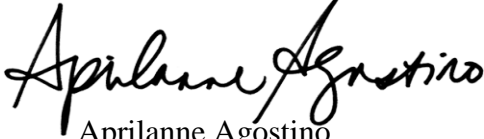
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MATTER OF F. (ANONYMOUS), ALIVIA

ORDERED that if the appellant fails to file the affidavit or affirmation within 30 days of the date of this decision and order on motion, the Court will dismiss the appeal, without further notice.

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

ENTER:


Aprilanne Agostino
Clerk of the Court