

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

M245678
E/rr

ALAN D. SCHEINKMAN, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
MARK C. DILLON
RUTH C. BALKIN, JJ.

2017-08305

ORDER TO SHOW CAUSE

Wells Fargo Bank, N.A., etc., respondent,
v Valeriy Kolmykov, appellant, et al.,
defendants.

(Index No. 131143/13)

Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from a decision and order (one paper) of the Supreme Court, Richmond County, dated December 7, 2016.

Upon the papers filed in support of the application and no papers having been filed in opposition or in relation thereto, it is

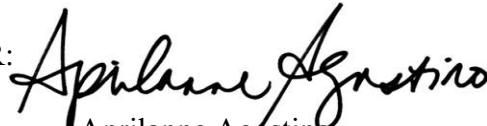
ORDERED that the parties are directed to show cause why the appeal should or should not be dismissed on the ground that no appeal lies from a decision (*see Schicchi v J.A. Green Constr. Co.*, 100 AD2d 509), and no appeal lies from an order that was not the result of a motion made on notice, and leave to appeal has not been granted (*see CPLR 5701*), by filing an affirmation or affidavit on those issues with the Clerk of this Court on or before February 26, 2018; and it is further,

ORDERED that the application is held in abeyance in the interim; and it is further,

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

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

February 5, 2018

WELLS FARGO BANK, N.A. v KOLMYKOV