

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

M245778
E/rr

RUTH C. BALKIN, J.P.
CHERYL E. CHAMBERS
COLLEEN D. DUFFY
HECTOR D. LASALLE, JJ.

2017-12474

DECISION & ORDER ON MOTION

Louis Burns, respondent,
v Stephanie Burns, appellant.

(Index No. 37327/07)

Motion by the appellant, inter alia, to stay enforcement of an order of the Supreme Court, Kings County, dated October 25, 2017, pending hearing and determination of an appeal therefrom.

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 is dismissed, without costs or disbursements, on the ground that no appeal lies as of right from an order that is not the result of a motion made on notice (*see* CPLR 5701), and leave to appeal has not been granted; and it is further,

ORDERED that the motion is denied as academic.

BALKIN, J.P., CHAMBERS, DUFFY and LASALLE, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

February 6, 2018

BURNS v BURNS