

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

M245779
E/rr

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

2016-04865, 2016-04866

ORDER TO SHOW CAUSE

Green Tree Servicing, LLC, respondent,
v Lawrence Molini, et al., appellants, et al.,
defendants.

(Index No. 135873/14)

Motion by the appellants to stay the sale of the subject premises, pending hearing and determination of appeals from two orders of the Supreme Court, Richmond County, dated February 10, 2016, and March 14, 2016, respectively, and for a preference in the calendaring of the appeals.

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 the motion is denied; and it is further,

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 appeals from the orders dated February 10, 2016, and March 14, 2016, on the ground that the right of direct appeal from the orders terminated upon entry of a judgment of the Supreme Court, Richmond County, in the above-entitled action dated July 10, 2017 (*see Matter of Aho*, 39 NY2d 241), by filing an affirmation or an affidavit on that issue in the office of the Clerk of this Court on or before February 28, 2018, or, if the appellant be so advised, by making a motion, on or before February 28, 2018, pursuant to CPLR 5520(c) to deem the notice of appeal from the orders to be a premature notice of appeal from the judgment to the extent that the judgment brings up for review the orders, to deem the record and the parties' briefs filed in connection with the appeals from the orders to be filed in connection with the appeal from the judgment, to limit the issues raised on the appeal from the judgment to the issues raised in the briefs filed in connection with the appeals from the orders, and for leave to serve and file a supplemental record containing the judgment; and it is further,

February 6, 2018

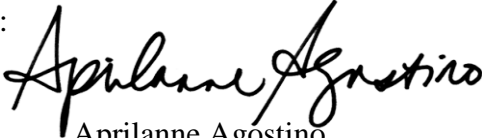
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ORDERED that the Clerk of this Court or her designee is directed to serve a copy of this order to show cause upon the parties to the appeals by regular mail.

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

ENTER:


Aprilanne Agostino
Clerk of the Court