

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

M245877  
HTR/

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

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2017-09171

DECISION & ORDER ON APPLICATION  
Application to Withdraw Appeal

Jesus Funes, respondent, v Downstate  
at LICH Holding Company, Inc., appellant.

(Index No. 509613/14)

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Application by the appellant for leave to withdraw an appeal from an order of the Supreme Court, Kings County, dated July 20, 2017.

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ORDERED that the application is granted and the appeal is deemed withdrawn, without costs or disbursements.

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

ENTER:



Aprilanne Agostino  
Clerk of the Court

February 8, 2018

FUNES v DOWNSTATE AT LICH HOLDING COMPANY, INC.