

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

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SHERI S. ROMAN, J.P.
HECTOR D. LASALLE
FRANCESCA E. CONNOLLY
LINDA CHRISTOPHER, JJ.

2017-02287

DECISION & ORDER ON MOTION

In the Matter of Louis E. Goebel, etc., deceased.
Susan J. Rera, etc., petitioner-appellant;
Alba Baris Goebel, respondent-respondent.

(File No. 911/11)

2017-03236

In the Matter of Louis E. Goebel, etc., deceased.
Susan J. Rera, etc., petitioner-appellant;
Alba Baris Goebel, respondent-respondent.

(File No. 911/11)

2017-05751, 2017-05752

In the Matter of Louis E. Goebel, etc., deceased.
Susan J. Rera, etc., petitioner-appellant;
Alba Baris Goebel, respondent-respondent.

(File No. 911/11)

2017-08534

In the Matter of Louis E. Goebel, etc., deceased.
Susan J. Rera, etc., petitioner-respondent;
Alba Baris Goebel, respondent-respondent;
Frank D'Onofrio, nonparty-appellant;
Helen Depolito, nonparty-respondent.

(File No. 911/11)

February 15, 2018

MATTER OF GOEBEL, DECEASED

Page 1.

Motion by the nonparty-appellant to stay enforcement of an order of the Surrogate's Court, Orange County, dated April 24, 2017, to consolidate that appeal with appeals from a decree of the same court dated August 14, 2014, and three orders of the same court dated October 13, 2015, March 10, 2017, and April 24, 2017, respectively, and to enlarge the time to perfect the appeals. By order to show cause dated December 1, 2017, the parties were directed to show cause why an order should or should not be made and entered dismissing the appeal from the order dated April 24, 2017, on the ground that the nonparty-appellant was not aggrieved by that order, and the motion by the nonparty-appellant was held in abeyance in the interim.

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

ORDERED that the motion to dismiss the appeal is granted, and the appeal from the order dated April 24, 2017, is dismissed, without costs or disbursements (*see* CPLR 5511); and it is further,

ORDERED that the branches of the motion which are to enlarge the time to perfect the appeals from the decree and the orders dated October 13, 2015, March 10, 2017, and April 24, 2017, under Appellate Division Docket Number 2017-05752, are granted, and the time to perfect the appeals is enlarged until April 16, 2018; and it is further,

ORDERED that the motion by the nonparty-appellant is otherwise denied as academic.

ROMAN, J.P., LASALLE, CONNOLLY and CHRISTOPHER, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court