

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

M246419  
E/rr

REINALDO E. RIVERA, J.P.  
CHERYL E. CHAMBERS  
SHERI S. ROMAN  
ANGELA G. IANNACCI, JJ.

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2018-01347

DECISION & ORDER ON MOTION

In the Matter of Francisco Gonzalez, respondent,  
v Griselda Garduno, appellant.

(Docket No. O-265-18)

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Motion by the appellant, inter alia, to stay enforcement of an order of the Family Court, Richmond County, dated January 29, 2018, 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 the appeal is dismissed, without costs or disbursements, as no appeal lies as of right from a nondispositional order in a proceeding pursuant to Family Court Act article 8 (*see* Family Ct Act § 1112), and leave to appeal has not been granted; and it is further,

ORDERED that the motion is denied as academic.

RIVERA, J.P., CHAMBERS, ROMAN and IANNACCI, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

February 22, 2018

MATTER OF GONZALEZ v GARDUNO