

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

M246528  
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MARK C. DILLON, J.P.  
JOHN M. LEVENTHAL  
ROBERT J. MILLER  
JOSEPH J. MALTESE, JJ.

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2017-10624

DECISION & ORDER ON MOTION

In the Matter of Penn A. Dodson, appellant,  
v Elton Dodson, respondent.

(Docket No. F-21106-15/15A)

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Appeal by Penn A. Dodson from an order of the Family Court, Kings County, dated August 18, 2017. By order to show cause dated December 19, 2017, the parties were directed to show cause before this Court why an order should or should not be made and entered dismissing the appeal in the above-entitled proceeding for failure to comply with a scheduling order dated November 1, 2017, issued pursuant to § 670.4(a)(2) of the rules of this Court (22 NYCRR 670.4[a][2]).

Now, upon the order to show cause and no papers having been filed in response thereto, it is

ORDERED that the motion to dismiss the appeal is granted, and the appeal is dismissed, without costs or disbursements, for failure to comply with the scheduling order dated November 1, 2017, issued pursuant to § 670.4(a)(2) of the rules of this Court (22 NYCRR 670.4[a][2]).

DILLON, J.P., LEVENTHAL, MILLER and MALTESE, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

February 23, 2018

MATTER OF DODSON v DODSON