

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

M246693
E/afa

MARK C. DILLON, J.P.
CHERYL E. CHAMBERS
SYLVIA O. HINDS-RADIX
LINDA CHRISTOPHER, JJ.

2016-06911

DECISION & ORDER ON MOTION

Lazaro Sotolongo, appellant, v Robert L.
Cristofaro, etc., defendant, Elliot G. Gross,
respondent.

(Index No. 55796/11)

Motion by the appellant, inter alia, to hold in abeyance an appeal from a judgment of the Supreme Court, Westchester County, entered May 31, 2016, pending determination of certain proceedings in the Court of Appeals. Cross motion by the respondent to dismiss the appeal for failure to timely perfect.

Upon the papers filed in support of the motions and the papers filed in opposition thereto, it is

ORDERED that the appellant's motion is dismissed for failure to provide proof of service of the motion in accordance with the terms of the order to show cause; and it is further,

ORDERED that on the Court's own motion, the time to perfect the appeal is enlarged until April 2, 2018, and the record or appendix on the appeal and the appellant's brief shall be served and filed on or before that date; and it is further,

ORDERED that no further enlargements of time shall be granted; and it is further,

ORDERED that respondent's motion is denied.

DILLON, J.P., CHAMBERS, HINDS-RADIX and CHRISTOPHER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 27, 2018

SOTOLONGO v CRISTOFARO