

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

M246715
E/afa

REINALDO E. RIVERA, J.P.
ROBERT J. MILLER
SYLVIA O. HINDS-RADIX
BETSY BARROS, JJ.

2017-11825

DECISION & ORDER ON MOTION

John Downey, appellant,
v Connie T. Cilento, respondent.

(Index No. 150663/16)

Motion by the respondent to dismiss an appeal from an order of the Supreme Court, Richmond County, dated August 31, 2017, as untimely taken.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted and the appeal is dismissed, without costs or disbursements (*see* CPLR 5513[a]).

RIVERA, J.P., MILLER, HINDS-RADIX and BARROS, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 2, 2018

DOWNEY v CILENTO