

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

M246849  
HTR/

ALAN D. SCHEINKMAN, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
MARK C. DILLON  
RUTH C. BALKIN, JJ.

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2016-11949

DECISION & ORDER ON APPLICATION  
Application to Withdraw Appeal

Bleeme Compton, et al., respondents,  
v John S. Hoey, et al., appellants.

(Index No. 20596/10)

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Application by the appellants John S. Hoey, Amy L. Simon-Hoey, and Amy Lynn Simon, doing business as Stoney Ridge Top Soil, for leave to withdraw their appeal from an order of the Supreme Court, Kings County, dated September 30, 2016.

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

ORDERED that the application is granted and the appeal by the appellants John S. Hoey, Amy L. Simon-Hoey, and Amy Lynn Simon, doing business as Stoney Ridge Top Soil, is deemed withdrawn, without costs or disbursements.

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

February 28, 2018

COMPTON v HOEY