

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

M247066
E/afa

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

2016-09049

DECISION & ORDER ON MOTION

John Lee, et al., respondents,
v Yuxin Yin, appellant.

(Index No. 4295/11)

Appeal by Yuxin Yin from an order of the Supreme Court, Queens County, entered August 3, 2016. By decision and order on motion of this Court dated November 30, 2017, the appellant's appendix and brief were stricken, and on or before January 2, 2018, the appellant was directed to serve and file a replacement appellant's appendix and brief which included the papers filed by the respondents in opposition to the motion that resulted in the order entered August 3, 2016, and did not contain matter de hors the record. The appellant has failed to perfect the appeal.

Now, on the Court's own motion, it is

ORDERED that the appeal is dismissed, without costs or disbursements, for failure to comply with the decision and order on motion of this Court dated November 30, 2017.

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

ENTER:



Aprilanne Agostino
Clerk of the Court

March 7, 2018

LEE v YUXIN YIN