

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

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RUTH C. BALKIN, J.P.
SHERI S. ROMAN
ROBERT J. MILLER
VALERIE BRATHWAITE NELSON, JJ.

2018-01836

DECISION & ORDER ON MOTION

Wells Fargo Bank, N.A., etc., respondent,
v Penelope Ifill, appellant, et al., defendants

(Index No. 8609/10)

Motion by the appellant, inter alia, to stay the sale of, or transfer of title to, the subject premises pending hearing and determination of an appeal from an order of the Supreme Court, Suffolk County, entered May 15, 2015.

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

ORDERED that on the Court's own motion, the appeal is dismissed, without costs or disbursements, on the ground that no appeal lies from an order entered upon the default of the appealing party (*see* CPLR 5511); and it is further,

ORDERED that the motion is denied as academic.

BALKIN, J.P., ROMAN, MILLER and BRATHWAITE NELSON, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 9, 2018

WELLS FARGO BANK, N.A. v IFILL