

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.

2017-02131

DECISION & ORDER ON MOTION

CIT Bank, N.A., respondent, v Everette
Weaver, appellant, et al., defendants.

(Index No. 83/14)

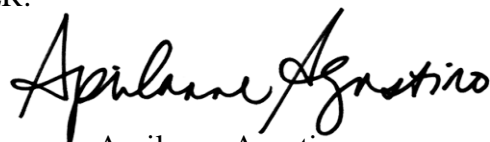
Motion by the appellant, inter alia, in effect, to recall and vacate an order on application of this Court dated January 23, 2018, which granted the respondent's application pursuant to 22 NYCRR 670.8(d)(2) for an enlargement of time to serve and file a brief on an appeal from a judgment of the Supreme Court, Dutchess County, dated January 12, 2017, and to preclude the respondent from filing a brief.

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

ORDERED that the motion is denied.

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

ENTER:



Aprilanne Agostino
Clerk of the Court

March 12, 2018

CIT BANK, N.A. v WEAVER