

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

M247369
E/rr

WILLIAM F. MASTRO, J.P.
SHERI S. ROMAN
SANDRA L. SGROI
JEFFREY A. COHEN, JJ.

2017-03720

DECISION & ORDER ON MOTION

In the Matter of Frank Moore, Jr., deceased.
Eileen Kyne, petitioner-respondent;
Michele Moore, objectant-appellant;
Frank Moore III, respondent-respondent.

(File No. 754/90)

2017-03723

In the Matter of Frank Moore, Jr., deceased.
Eileen Kyne, petitioner-respondent;
Michele Moore, objectant-appellant;
Frank Moore III, respondent-respondent.

(File No. 754/90)

Motion by the objectant-appellant, inter alia, in effect, to recall and vacate so much of a decision and order on motion of this Court dated December 13, 2017, as dismissed an appeal from an order of the Surrogate's Court, Suffolk County, dated February 24, 2017, to consolidate that appeal with an appeal from an order of the same court dated January 31, 2017, and to stay all proceedings in the above-entitled matter pending hearing and determination of the appeals. Separate motion by the objectant-appellant, inter-alia, to enlarge the time to perfect the appeal from the order dated January 31, 2017.

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

March 13, 2018

MATTER OF MOORE, DECEASED

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ORDERED that the first motion, inter alia, in effect, to recall and vacate so much of the decision and order on motion of this Court dated December 13, 2017, as dismissed the appeal from the order dated February 24, 2017, is denied; and it is further,

ORDERED that the branch of the second motion which is to enlarge the time to perfect the appeal from the order dated January 31, 2017, is granted, and the time to perfect the appeal from the order dated January 31, 2017, is enlarged until May 14, 2018; and it is further,

ORDERED that no further enlargement of time shall be granted; and it is further,

ORDERED that the second motion is otherwise denied.

MASTRO, J.P., ROMAN, SGROI and COHEN, JJ., concur.

ENTER: 
Aprilanne Agostino
Clerk of the Court