

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

M247392
E/afa

REINALDO E. RIVERA, J.P.
SANDRA L. SGROI
SYLVIA O. HINDS-RADIX
ANGELA G. IANNACCI, JJ.

2018-00113, 2018-00114

DECISION & ORDER ON MOTION

In the Matter of Guadalupe Vidal Martinez,
petitioner-respondent, v Everado Isrrael
Martinez, respondent.

(Docket No. O-5595-16)

Appeals from two orders of the Family Court, Queens County, both dated November 15, 2017. By order to show cause dated January 29, 2018, the parties were directed to show cause before this Court why an order should or should not be made and entered dismissing the appeals in the above-entitled proceeding on the ground that Edwin A. Gonzalez, identified as the appellant on the notice of appeal, was not aggrieved by the orders dated November 15, 2017.

Now, upon the order to show cause and the papers filed in response thereto, it is

ORDERED that on the Court's own motion, the notice of appeal is deemed to have been filed by Everado Isrrael, as the proper party appellant (*see* CPLR 2001; *Matter of Tagliaferri v Weiler*, 1 NY3d 605); and it is further,

ORDERED that the motion to dismiss the appeal is denied.

RIVERA, J.P., SGROI, HINDS-RADIX and IANNACCI, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 15, 2018

MATTER OF MARTINEZ v MARTINEZ