

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

M247605
E/afa

ALAN D. SCHEINKMAN, P.J.
RUTH C. BALKIN
LEONARD B. AUSTIN
ROBERT J. MILLER, JJ.

2017-08991

DECISION & ORDER ON MOTION

Citimortgage, Inc., respondent,
v Nityanand Kalicharan, appellant,
et al., defendants.

(Index No. 701613/14)

Appeal by Nityanand Kalicharan from a judgment of the Supreme Court, Queens County, dated January 14, 2015. By order to show cause dated January 5, 2018, the parties were directed to show cause before this Court why an order should or should not be made and entered dismissing the appeal in the above-entitled action on the ground that no appeal lies from a judgment entered upon the default of the appealing party.

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

ORDERED that the motion to dismiss the appeal is granted, and the appeal is dismissed, without costs or disbursements (*see* CPLR 5511).

SCHEINKMAN, P.J., BALKIN, AUSTIN and MILLER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 19, 2018

CITIMORTGAGE, INC. v KALICHARAN