

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

M247644
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ALAN D. SCHEINKMAN, P.J.
RUTH C. BALKIN
LEONARD B. AUSTIN
SYLVIA O. HINDS-RADIX, JJ.

2017-09822, 2017-09823, 2017-10982

DECISION & ORDER ON MOTION

In the Matter of Eliyahu C. Poltorak, respondent-appellant, v Bella Poltorak, appellant-respondent.
(Proceeding No. 1)

In the Matter of Bella Poltorak, appellant, v Eliyahu C. Poltorak, respondent.
(Proceeding No. 2)

(Docket Nos. V-12527-17, V-12526-17, V-12525-17, V-24393-17, V-26509-17)

Appeals by Bella Poltorak from three orders of the Family Court, Kings County, dated September 19, 2017, September 20, 2017, and October 11, 2017, respectively, and cross appeal by Eliyahu C. Poltorak from the order dated September 20, 2017. By order to show cause dated February 2, 2018, the parties were directed to show cause before this Court why an order should or should not be made and entered dismissing the cross appeal in the above-entitled proceedings for failure to comply with a decision and order on motion of this Court dated December 12, 2017, issued pursuant to § 670.4(a)(2) of the rules of this Court (22 NYCRR 670.4[a][2]). Application by Eliyahu C. Poltorak to withdraw the cross appeal.

Now, upon the order to show cause and no papers having been filed in response thereto, and upon the papers filed in support of the application and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion to dismiss the cross appeal is denied; and it is further,

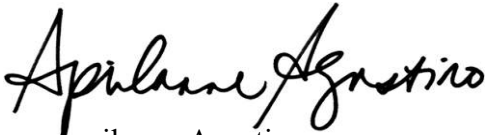
March 19, 2018

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ORDERED that the application is granted and the cross appeal is deemed withdrawn, without costs or disbursements.

SCHEINKMAN, P.J., BALKIN, AUSTIN and HINDS-RADIX, JJ., concur.

ENTER: 
Aprilanne Agostino
Clerk of the Court