

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

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JOHN M. LEVENTHAL, J.P.
SANDRA L. SGROI
HECTOR D. LASALLE
VALERIE BRATHWAITE NELSON, JJ.

2018-02739

DECISION & ORDER ON MOTION

In the Matter of Frosso Demetriou, deceased.
Helen Aliano, petitioner-appellant;
James Demetriou, et al., respondents-
respondents.

(File No. 359448)

Motion by the appellant to stay enforcement of an order of the Surrogate's Court, Nassau County, dated February 13, 2018, pending hearing and determination of an appeal therefrom.

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

ORDERED that on the Court's own motion, the appeal is dismissed, without costs or disbursements, on the ground that no appeal lies as of right from an order that is not the result of a motion made on notice (*see* CPLR 5701), and leave to appeal has not been granted; and it is further,

ORDERED that the motion is denied as academic.

LEVENTHAL, J.P., SGROI, LASALLE and BRATHWAITE NELSON, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 29, 2018

MATTER OF DEMETRIOU, DECEASED