

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

M248185  
E/afa

CHERYL E. CHAMBERS, J.P.  
LEONARD B. AUSTIN  
ROBERT J. MILLER  
JOSEPH J. MALTESE, JJ.

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2016-09660, 2016-09661

ORDER TO SHOW CAUSE

HSBC Bank USA, NA, etc., respondent,  
v David Bermudez, et al., appellants, et al.,  
defendants.

(Index No. 12718/12)

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Motion by the appellants on appeals from two orders of the Supreme Court, Nassau County, entered August 2, 2016, and August 9, 2016, respectively, to stay the sale of the subject premises, and to stay enforcement of a judgment of the same court entered August 2, 2017, pending hearing and determination of appeals from the orders.

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

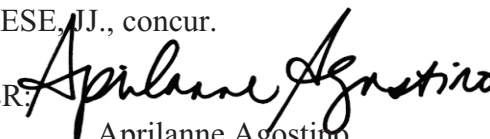
ORDERED that on the Court's own motion, the parties are directed to show cause before this Court why an order should or should not be made and entered dismissing the appeals from the orders on the ground that the right of direct appeal from the orders terminated upon entry in the above-entitled action of the judgment entered August 2, 2017 (*see Matter of Aho*, 39 NY2d 241), by filing an affirmation or an affidavit on that issue in the office of the Clerk of this Court on or before April 23, 2018, or, if the appellant be so advised, by making a motion, on or before April 23, 2018, pursuant to CPLR 5520(c) to deem the notice of appeal from the orders to be a premature notice of appeal from the judgment to the extent that the judgment brings up for review the orders, to deem the record and the parties' briefs filed in connection with the appeals from the orders to be filed in connection with the appeal from the judgment, and for leave to serve and file a supplemental record containing the judgment; and it is further,

ORDERED that the motion is held in abeyance in the interim; and it is further,

ORDERED that the Clerk of this Court or her designee is directed to serve a copy of this order to show cause upon the parties to the appeals by regular mail.

CHAMBERS, J.P., AUSTIN, MILLER and MALTESE, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

March 30, 2018

HSBC BANK USA, NA v BERMUDEZ