

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

M248226  
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REINALDO E. RIVERA, J.P.  
LEONARD B. AUSTIN  
FRANCESCA E. CONNOLLY  
ANGELA G. IANNACCI, JJ.

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2017-03318

DECISION & ORDER ON MOTION

Wells Fargo Bank, respondent, v Eric  
Armstead, appellant, et al., defendants.

(Index No. 130371/12)

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Motion by the respondent to dismiss an appeal from an order of the Supreme Court, Richmond County, dated December 16, 2016, for failure to comply with a decision and order on motion of this Court dated December 13, 2017.

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

ORDERED that the motion is denied; and it is further,

ORDERED that on the Court's own motion, the appellant's time to comply with the decision and order on motion of this Court dated December 13, 2017, is extended and on or before April 15, 2018, the appellant serve and file a supplemental record on appeal which contains all of the motion papers, with annexed exhibits, that resulted in the order dated December 16, 2016, and that are not contained in the record previously filed; and it is further,

ORDERED that no further extension of time to comply with the decision and order on motion of this Court dated December 13, 2017, shall be granted; and it is further,

ORDERED that on the Court's own motion, the respondent's time to serve and file a brief is enlarged until May 7, 2018, and the respondent's brief, if any, shall be served and filed on or before that date.

RIVERA, J.P., AUSTIN, CONNOLLY and IANNACCI, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

April 2, 2018

WELLS FARGO BANK v ARMSTEAD