

**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.

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2018-01575

DECISION & ORDER ON MOTION

Natural Therapy Acupuncture, P.C., etc., plaintiff,  
v OMNI Indemnity Company, defendant.

(Appellate Term Docket No. 2017-00008KC;  
Civil Court Index No. 41630-15)

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Motion by Natural Therapy Acupuncture, P.C., for leave to appeal to this Court from an order of the Appellate Term, Second, Eleventh, and Thirteenth Judicial Districts, dated August 18, 2017, which denied its motion to vacate an order of the same court dated May 22, 2017, which dismissed an appeal from an order of the Civil Court of the City of New York, Kings County, entered September 13, 2016, for failure to timely perfect, and to enlarge the time to perfect the appeal.

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

ORDERED that the motion is denied.

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

ENTER:



Aprilanne Agostino  
Clerk of the Court

April 4, 2018

NATURAL THERAPY ACUPUNCTURE, P.C. v OMNI INDEMNITY COMPANY