

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.

2018-01498

DECISION & ORDER ON MOTION

In the Matter of Home Depot, U.S.A., Inc.,
appellant-respondent, v Town Board of the
Town of Southeast, et al., respondents-appellants,
et al., respondents.

(Index No. 1462/16)

Motion by Home Depot, U.S.A., Inc., inter alia, for leave to appeal, and cross motion by Independent Sewage Works, Inc., inter alia, for leave to cross appeal, from an order of the Supreme Court, Putnam County, dated December 1, 2017.

Upon the papers filed in support of the motion and the papers filed in relation thereto, and upon the papers filed in support of the cross motion and no papers having been filed in opposition or in relation thereto, it is

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

ORDERED that on the Court's own motion, the appeal and cross appeals purportedly taken as of right are dismissed, without costs or disbursements.

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

ENTER:



Aprilanne Agostino
Clerk of the Court

April 5, 2018

MATTER OF HOME DEPOT, U.S.A., INC. v TOWN BOARD OF THE TOWN OF
SOUTHEAST