

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

M248377  
E/afa

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

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2017-05856

DECISION & ORDER ON MOTION

In the Matter of George Makhoul,  
petitioner, v New York State Department  
of Motor Vehicles, respondent.

(Index No. 80119/16)

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Motion by the petitioner for leave to prosecute a proceeding pursuant to CPLR article 78 which was transferred to this Court by order of the Supreme Court, Richmond County, dated February 28, 2017, on the original papers or to waive compliance with the requirements of 22 NYCRR 670.10.2(f) regarding certification of the petitioner's appendix.

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

ORDERED that the branch of the motion which is for leave to prosecute the proceeding on the original papers is denied as unnecessary as the appeal was perfected on the appendix method; and it is further,

ORDERED that the branch of the motion which is to waive compliance with the requirements of 22 NYCRR 670.10.2(f) regarding certification of the petitioner's appendix is granted.

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

ENTER:   
Aprilanne Agostino  
Clerk of the Court

April 5, 2018

MATTER OF MAKHOUL v NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES