

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

M248568  
E/afa

RUTH C. BALKIN, J.P.  
JOHN M. LEVENTHAL  
SYLVIA O. HINDS-RADIX  
LINDA CHRISTOPHER, JJ.

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2017-05405

DECISION & ORDER ON MOTION

HSBC Bank, USA, etc., plaintiff-respondent,  
v Todd Tabacco, appellant, New York  
City Transit Adjudication Bureau, et al.,  
defendants-respondents, et al., defendant.

(Index No. 130719/11)

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Motion by the plaintiff-respondent to dismiss an appeal from an order of the Supreme Court, Richmond County, dated December 19, 2016, for failure to timely perfect.

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 motion is granted and the appeal is dismissed, without costs or disbursements (*see* 22 NYCRR 670.8[e]).

BALKIN, J.P., LEVENTHAL, HINDS-RADIX and CHRISTOPHER, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

April 10, 2018

HSBC BANK, USA v TABACCO