

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

M248617
E/rr

CHERYL E. CHAMBERS, J.P.
JEFFREY A. COHEN
COLLEEN D. DUFFY
FRANCESCA E. CONNOLLY, JJ.

2018-03373

DECISION & ORDER ON MOTION

Nicolette Ann Iacone, etc., plaintiff-respondent,
v Sal Passanisi, Jr., et al., defendants-respondents,
County of Nassau, appellant.

(Index No. 1993/09)

2018-03374

Nichollette Ann Iacone, etc., plaintiff-respondent,
v Sal Passanisi, Jr., et al., defendants-respondents,
County of Nassau, appellant.

(Index No. 1993/09)

Motion by the appellant for leave to appeal to this Court from an order of the Supreme Court, Nassau County, dated March 8, 2018, in effect, to confirm that the trial in the above-entitled action is stayed pursuant to CPLR 5519(a) pending hearing and determination of the appeals from the order dated March 8, 2018, and an interlocutory judgment of the same court dated February 16, 2018, and to consolidate the appeals.

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

ORDERED that the branch of the motion which is for leave to appeal from the order dated March 8, 2018, is denied; and it is further,

ORDERED that on the Court's own motion, the appeal purportedly taken as of right from the order dated March 8, 2018, is dismissed, without costs or disbursements (*see* CPLR 5701);

April 9, 2018

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and it is further,

ORDERED that the branch of the motion which is, in effect, to confirm that the trial in the above-entitled action is stayed pursuant to CPLR 5519(a) is denied as no automatic stay is in effect; and it is further,

ORDERED that the branch of the motion which is to consolidate the appeals is denied as academic.

CHAMBERS, J.P., COHEN, DUFFY and CONNOLLY, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court