

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

M248808  
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RUTH C. BALKIN, J.P.  
BETSY BARROS  
ANGELA G. IANNACCI  
LINDA CHRISTOPHER, JJ.

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2017-07374

DECISION & ORDER ON MOTION

Parmanan Rupnarain, appellant,  
v Atim Khan, Jr., et al., respondents.

(Index No. 4339/15)

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Motion by the respondent Atim Khan, Jr., to dismiss an appeal from an order of the Supreme Court, Queens County, dated May 11, 2017, for failure to timely perfect. Application by the appellant to withdraw the appeal.

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

ORDERED that the application is granted and the appeal is deemed withdrawn, without costs or disbursements; and it is further,

ORDERED that the motion is denied.

BALKIN, J.P., BARROS, IANNACCI and CHRISTOPHER, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

April 16, 2018

RUPNARAIN v KHAN