

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

M248936
E/rr

MARK C. DILLON, J.P.
JOHN M. LEVENTHAL
ROBERT J. MILLER
COLLEEN D. DUFFY, JJ.

2018-01651

DECISION & ORDER ON MOTION

U.S. Bank, National Association, respondent,
v Phulmattie Sookhai, et al., defendants.
Frederick Sookhai, nonparty-appellant

(Index No. 3102/2011)

2018-03228

Frederick Sookhai, etc., appellant,
v Edward Rugino, etc., et al., respondents.

(Index No. 285/18)

Motion by Frederick Sookhai for leave to appeal to this Court from two orders of the Supreme Court, Nassau County, one entered August 14, 2017, and one dated March 12, 2018, to stay his eviction from the subject premises, pending hearing and determination of the appeals, 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 entered August 14, 2017, is denied as unnecessary as that order is appealable as of right (*see* CPLR 5701); and it is further,

ORDERED that the branch of the motion which is for leave to appeal from the order dated March 12, 2018, is denied; and it is further,

April 19, 2018

U.S. BANK, NATIONAL ASSOCIATION v SOOKHAI


Page 1.

ORDERED that on the Court's own motion, the appeal purportedly taken as of right from the order dated March 12, 2018, is dismissed, without costs or disbursements; and it is further,

ORDERED that the branch of the motion which is to stay the movant's eviction from the subject premises is denied; and it is further,

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

DILLON, J.P., LEVENTHAL, MILLER and DUFFY, JJ., concur.

ENTER: 
Aprilanne Agostino
Clerk of the Court