

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

M248982
E/afa

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

2017-05304

DECISION & ORDER ON MOTION

Zafar Mir, appellant,
v Mohamed Eid, respondent.

(Index No. 713362/16)

Motion by the respondent, inter alia, to dismiss an appeal from an order of the Supreme Court, Queens County, dated March 27, 2017, on the ground that no appeal lies from an order entered upon the default of the appealing party.

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 to dismiss the appeal is granted and the appeal is dismissed, without costs or disbursements (*see* CPLR 5511); and it is further,

ORDERED that the motion is otherwise denied as academic.

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

ENTER:



Aprilanne Agostino
Clerk of the Court

April 26, 2018

MIR v EID