

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

M248988
E/afa

LEONARD B. AUSTIN, J.P.
SHERI S. ROMAN
JEFFREY A. COHEN
BETSY BARROS, JJ.

2017-09997

DECISION & ORDER ON MOTION

Israel Kozlik, et al., respondents,
v Collette Wallace, appellant, et al., defendant.

(Index No. 520717/16)

Motion by the appellant to stay enforcement of an order of the Supreme Court, Kings County, dated August 2, 2017, pending hearing and determination of an appeal therefrom.

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

ORDERED that on the Court's own motion, the appeal is dismissed, without costs or disbursements, on the ground that no appeal lies from an order entered upon the consent of the appealing party (*see* CPLR 5511); and it is further,

ORDERED that the motion is denied as academic.

AUSTIN, J.P., ROMAN, COHEN and BARROS, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

April 19, 2018

KOZLIK v WALLACE