

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

1054

CA 21-01348

PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, CURRAN, AND OGDEN, JJ.

RAPHAEL FELICIA, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

WILMINGTON TRUST NATIONAL ASSOCIATION,
NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY
TRUSTEE FOR MFRA TRUST 2014-2,
DEFENDANT-RESPONDENT.

RAPHAEL FELICIA, PLAINTIFF-APPELLANT PRO SE.

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered September 17, 2021. The order, *inter alia*, denied the application of plaintiff for permission to proceed as a poor person.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Memorandum: Plaintiff commenced this action seeking, *inter alia*, damages for "wrongful foreclosure" concerning a judgment of foreclosure entered against her in 2019. She appeals from an order that, *inter alia*, denied her request for permission to proceed as a poor person under CPLR 1101. In her brief on appeal, however, plaintiff challenges only the judgment of foreclosure and certain orders in the underlying foreclosure action. Inasmuch as plaintiff has not raised any contention with respect to the order on appeal, we dismiss the appeal as abandoned (*see Matter of Michael S. [Rebecca S.]*, 165 AD3d 1633, 1634 [4th Dept 2018], *lv denied* 32 NY3d 915 [2019]; *see generally Ciesinski v Town of Aurora*, 202 AD2d 984, 984 [4th Dept 1994]).

Entered: February 3, 2023

Ann Dillon Flynn
Clerk of the Court