

U.S. Bank N.A. v Eulogio Gomez

Motion No: 2026-02922

Slip Opinion No: 2026 NY Slip Op 70522(U)

Decided on June 18, 2026

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the
Official Reports.

Supreme Court of the State of New York
Appellate Division, First Judicial Department

Present – Hon. Troy K. Webber,
David Friedman
Manuel J. Mendez
John R. Higgitt
Shlomo S. Hagler,

Justice Presiding,

Justices.

U.S. Bank National Association as Trustee,
Petitioner-Appellant,

-against-

Motion No. 2026-02922
Index No. 380924/07E
Case Nos. 2025-02540
2025-03309

Eulogio Gomez, Nadia Gomez,
Respondents-Respondents,

Household Finance Realty Corporation of
New York, et al.,
Respondents.

Appeals having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about March 26, 2025 (Case No. 2025-02540) and from a judgment of the same Court, entered on or about April 29, 2025 (Case No. 2025-03309),

And respondents-respondents having moved to dismiss the appeal under Case No. 2025-02540 on the ground that the appeal was waived pursuant to the voluntary payment doctrine and that the record on appeal is inadequate, or, in the alternative, for leave to file a supplemental brief containing evidence of petitioner's voluntary payments made pursuant to the judgment on appeal under Case No. 2025-03309, and for a 30-day extension of time in which to file a respondents' brief from the date of this Court's order,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied in its entirety.

ENTERED: June 18, 2026

A handwritten signature in black ink, reading "Susanna Molina Rojas". The signature is fluid and cursive, with the first name "Susanna" being more prominent and the last name "Rojas" following in a similar style.

Susanna Molina Rojas
Clerk of the Court