

**Gabriel Demelo v Victorious Ventures Realty Corp., Victory
Food Serv. Distribs. Corp., & Eugenio Chavez**

Motion No: 2026-02131

Slip Opinion No: 2026 NY Slip Op 72344(U)

Decided on July 16, 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. Dianne T. Renwick,
Tanya R. Kennedy
Manuel J. Mendez
Lizbeth González
Kelly O'Neill Levy,

Presiding Justice,

Justices.

Gabriel Demelo,
Plaintiff-Respondent,

-against-

Motion No. 2026-02131
Index No. 800518/24E
Case No. 2025-06938

Victorious Ventures Realty Corp., Victory
Food Service Distributors Corp., and Eugenio
Chavez,
Defendants-Appellants.,

An appeal having been taken from an order of the Supreme Court, Bronx County,
entered on or about September 03, 2025,

And defendants-appellants having moved, pursuant to 22 NYCRR 1250.10(c), to
vacate the dismissal of the appeal, and, upon vacatur, for an extension of time to perfect
same,

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 granted to the extent of vacating the dismissal and
reinstating the aforesaid appeal, and extending the time to perfect same to the October
2026 Term of this Court.

ENTERED: July 16, 2026



Susanna Molina Rojas
Clerk of the Court