

159 W. 23rd LLC v Spa Ciel De NY Corp.

Motion No: 1947 & 2109 & 2124

Slip Opinion No: 2020 NYSlipOp 72509(U)

Decided on October 01, 2020

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. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

159 West 23rd LLC, Petitioner-Landlord-Appellant- Respondent, -against-	Motion No. 1947 & 2109 & 2124 Index No. 570635/2019 Case No. 2020-02609 2020-02807
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Spa Ciel De NY Corp.,
Respondent-Tenant-Respondent-
Appellant.

159 West 23rd LLC,
Petitioner-Landlord-Respondent.

-against-

Spa Ciel De NY Corp.,
Respondent-Tenant-Appellant.

Respondent-tenant-respondent-appellant (M-1947) and respondent-tenant-appellant (M-2109) having moved for leave to appeal to this Court from decisions and orders of the Appellate Term, First Department, both entered in the office of the Clerk of the Supreme Court, New York County, on or about February 06, 2020, and for a stay of eviction from the subject premises, including, without limitation, the execution of any warrant of eviction, pending the determination of the leave motion and, should leave be granted, the appeals (M-2124),

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

It is ordered that the motions are denied. The interim stay granted by order of a Justice of this Court, dated June 24, 2020, is hereby vacated.

ENTERED: October 01, 2020