

**Success Academy Charter Schs. -NYC, on its own behalf &  
on behalf of the students of Success Academy Charter Schs. -  
NYC v New York City Dept. of Educ.**

Motion No: 2021-03299

Slip Opinion No: 2021 NYSlipOp 74079(U)

Decided on November 04, 2021

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,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Judith J. Gische  
Barbara R. Kapnick,

Presiding Justice,  
  
Justices.

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Success Academy Charter Schools - NYC, on  
its own behalf and on behalf of the students  
of Success Academy Charter Schools - NYC,  
Petitioner-Plaintiff-Appellant,

Motion No. 2021-03299  
Index No. 159181/20  
Case No. 2021-01295

-against-

New York City Department of Education,  
Respondent-Defendant-Respondent.

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In this hybrid action, an appeal having been taken to this Court from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about February 18, 2021,

Now, upon reading and filing the correspondence from counsel for petitioner-plaintiff-appellant, dated September 28, 2021, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED: November 04, 2021



Susanna Molina Rojas  
Clerk of the Court