

**Blanche Zelmanovich v Eastmore Owners Corp.**

Motion No: 2022-02669

Slip Opinion No: 2022 NYSlipOp 71194(U)

Decided on September 06, 2022

Appellate Division, First Department, Motion Decision

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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. Barbara R. Kapnick,  
          Angela M. Mazzarelli  
          Peter H. Moulton  
          Lizbeth González  
          Saliann Scarpulla,

Justice Presiding,  
  
  
  
Justices.

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Blanche Zelmanovich,  
          Plaintiff-Appellant,  
  
          -against-

Motion No. 2022-02669  
Index No. 650443/22  
Case No. 2022-00547

Eastmore Owners Corp.,  
          Defendant-Respondent.

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An order of this Court having been entered on March 08, 2022 (M-2022-00576), granting plaintiff's motion for relief pursuant to CPLR 5704(a), to the extent of making the underlying order to show cause returnable in the Supreme Court, New York County, at a date and time convenient to the court, for a determination on the merits, and staying any termination of the subject lease pending the hearing and determination of said motion by Supreme Court, on condition that plaintiff continue to pay her monthly rent/maintenance charges while the motion is pending,

And an order of this Court having been entered on June 30, 2022 (M-2022-01614), granting defendant's motion to reargue the aforesaid order of this Court entered on March 08, 2022 (M-2022-00576), and upon reargument recalling and vacating the aforesaid order and denying plaintiff's application for relief pursuant to CPLR 5704(a) in its entirety,

And plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the aforesaid decision and order of this Court, entered on June 30, 2022 (M-2022-01614) and, should leave be granted, for a preliminary injunction enjoining defendant-respondent from instituting an action or special proceeding to recover possession of plaintiff-appellant's apartment, pending a determination by the Court of Appeals,

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.

ENTERED: September 06, 2022

A handwritten signature in black ink, reading "Susanna Molina Rojas". The signature is written in a cursive, flowing style.

Susanna Molina Rojas  
Clerk of the Court