

**TOWN OF NASSAU v STEPHEN B. NALLEY**

Motion No: 535723

Slip Opinion No: 2023 NY Slip Op 68109(U)

Decided on June 01, 2023

Appellate Division, Third Department, Motion Decision

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Judiciary Law § 431.

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

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department

Decided and Entered: June 1, 2023

535723

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TOWN OF NASSAU,

Respondent,

DECISION AND ORDER  
ON MOTION

v

STEPHEN B. NALLEY, et al.,  
Appellants.

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Motion for extension of time to perfect appeal and for continuation of stay pending appeal.

Cross motion to dismiss appeal for failure of prosecution or, in the alternative, to vacate stay pending appeal.

Upon the papers filed in support of the motion and the cross motion, and the papers filed in opposition thereto, it is

ORDERED that the motion for an extension of time to perfect the appeal is granted, without costs, and the time is extended to June 30, 2023. No further extensions of time will be granted absent an unanticipated excuse for the delay. It is further

ORDERED that the motion for a continuation of the stay pending appeal is granted, without costs, and the stay is extended provided the appeal is perfected on or before June 30, 2023, and it is further

ORDERED that the cross motion is denied, without costs.

Clark, J.P., Aarons, Reynolds Fitzgerald and Ceresia, JJ., concur.

ENTER:

Robert D. Mayberger

Clerk of the Court