

M & D TSC LLC v Celestin

Motion No: 2023-03781

Slip Opinion No: 2023 NY Slip Op 74814(U)

Decided on October 10, 2023

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. Barbara R. Kapnick,
Cynthia S. Kern
Peter H. Moulton
Bahaati E. Pitt-Burke
Kelly O’Neill Levy,

Justice Presiding,

Justices.

M & D TSC LLC,
Plaintiff-Respondent,

-against-

Motion No. 2023-03781
Index No. 380781/13
Case No. 2023-00853

Magdalena Celestin,
Defendant-Appellant,

City Of New York Environmental Control
Board,
Defendant.

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about January 18, 2023,

And defendant-appellant 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 February 2024 Term of this Court.

ENTERED: October 10, 2023

A handwritten signature in black ink, appearing to read "Susanna Molina Rojas". The signature is fluid and cursive, with the first name "Susanna" being the most prominent part.

Susanna Molina Rojas
Clerk of the Court