

**Turzilli v HPWest 49th St. Portfolio Hous. Dev. Fund Co.,
Inc.**

Motion No: 2023-03874

Slip Opinion No: 2023 NY Slip Op 75191(U)

Decided on October 17, 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. Dianne T. Renwick,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Troy K. Webber
Cynthia S. Kern,

Presiding Justice,

Justices.

Robert Turzilli and Patrick Catoe,
Plaintiffs,

Motion No. 2023-03874
Index No. 151473/22
Case No. 2023-03934

-against-

HPWest 49th Street Portfolio Housing
Development Fund Company, Inc., et al.,
Defendants.

George M. Santana, Esq.,
Non-party Appellant.

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about July 12, 2023,

And non-party-appellant having moved for a stay of proceedings, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from counsel for plaintiff-appellant, dated September 13, 2023, and due deliberation having been had thereon,

It is ordered that the motion and the appeal are deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED: October 17, 2023

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

Susanna Molina Rojas
Clerk of the Court