

**Alphonse Fletcher, Jr. v Dakota, Inc.**

Motion No: 2024-02423

Slip Opinion No: 2024 NY Slip Op 70003(U)

Decided on June 25, 2024

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. Dianne T. Renwick,  
David Friedman  
Ellen Gesmer  
Tanya R. Kennedy,

Presiding Justice,  
  
Justices.

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Alphonse Fletcher, Jr. and Fletcher Asset  
Management, Inc.,  
Plaintiff,

Motion No. 2024-02423  
Index No. 101289/11  
Case No. 2023-03658

-against-

The Dakota, Inc.,  
Defendant-Respondent,

Bruce Barnes and Peter Nitze,  
Defendants.

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JPMorgan Chase Bank, N.A.,  
Proposed-Intervenor Appellant.

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

And proposed-intervenor 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 November 2024 Term of this Court.

ENTERED: June 25, 2024

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.

Susanna Molina Rojas  
Clerk of the Court