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| <b>Deutsche Bank Natl. Trust Co. v Letennier</b>                                                                                                                                                                               |
| 2024 NY Slip Op 35690(U)                                                                                                                                                                                                       |
| September 24, 2024                                                                                                                                                                                                             |
| Supreme Court, Delaware County                                                                                                                                                                                                 |
| Docket Number: Ind. No. EF2018-290                                                                                                                                                                                             |
| Judge: Brian D. Burns                                                                                                                                                                                                          |
| Cases posted with a "30000" identifier, i.e., 2013 NY Slip Op <u>30001</u> (U), are republished from various New York State and local government sources, including the New York State Unified Court System's eCourts Service. |
| This opinion is uncorrected and not selected for official publication.                                                                                                                                                         |

At a term of the Supreme Court of the  
State of New York, held in and for  
the County of Delaware, at Delhi,  
New York on September 24, 2024.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF DELAWARE

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DEUTSCHE BANK NATIONAL TRUST COMPANY,  
AS TRUSTEE, ON BEHALF OF THE HOLDERS OF  
THE J.P. MORGAN MORTGAGE ACQUISITION TRUST  
2007-CH3 ASSET BACKED PASS-THROUGH  
CERTIFICATS, SERIES 2007-CH3,

Plaintiff,

**DECISION AND ORDER**  
(Motion #20)

-against-

Ind. No. EF2018-290

JEAN LETENNIER A/K/A JEAN MICHEL LETENNIER  
A/K/A JEAN M. LETENNIER; GREGORY SCHUENEMANN;  
STATE BANK OF LONG ISLAND; and KSENIA  
KRAVTSOVA,

Defendants.

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BEFORE: HON. BRIAN D. BURNS  
SUPREME COURT JUSTICE

APPEARANCES: For Plaintiff  
HINSHAW & CULBERTSON LLP  
By Robert D. Bailey, Esq.

For Defendant  
Joshua A. Douglass, Esq.

Defendant filed a proposed Order to Show Cause to Vacate Judgment of Foreclosure and  
Sale. Defendant also seeks a stay of the proceedings in this matter pending determination of the  
appeal to the Appellate Division, Third Department.

The court's August 16, 2024 Decision and Order requires all motions filed by defendant to be filed by Order to Show Cause subject to the court's review. The decision to sign the Order to Show Cause rests within the court's discretion (see, CPLR 2214(d)). The court declines to sign the Order to Show Cause.

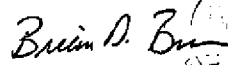
The arguments made by defendant provide no basis, in law, for the court to vacate the Judgment of Foreclosure and Sale. Further, CPLR § 5519(c) requires an undertaking to "secure both the order and the judgment or order which is affirmed."

Based on the forgoing, it is hereby

**ORDERED** that the Order to Show Cause (Motion #20) is denied and dismissed.

Dated: September 24, 2024  
Delhi, New York

ENTER,

 Digitally signed by  
Hon. Brian D. Burns  
9/24/2024, 3:40:17 PM  


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Hon. BRIAN D. BURNS  
Supreme Court Justice

To All Parties Via NYSCEF

