

Supreme Court of the State of New York

Appellate Division: Second Judicial Department

M30017

Y/sl

ROBERT W. SCHMIDT, J.P.

FRED T. SANTUCCI

DANIEL F. LUCIANO

JOSEPH COVELLO, JJ.

2005-07042

Alayne Real Estate, et al., respondents,
v Alan D. Lasher, et al., appellants.

DECISION & ORDER ON MOTION
Motion to Dismiss Appeal

(Index No. 11134/00)

Motion by the respondent to dismiss an appeal from a judgment of the Supreme Court, Kings County, dated June 13, 2005, on the ground that no appeal lies from an order denying a motion for leave to reargue.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted and the appeal is dismissed, without costs or disbursements (see *Munz v La Guardia Hosp.*, 109 AD2d 731).

SCHMIDT, J.P., SANTUCCI, LUCIANO and COVELLO, JJ., concur.

ENTER:

James Edward Pelzer

Clerk of the Court