

At a term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York, on October 24, 1985.

Present—Hon. Theodore R. Kupferman, Justice Presiding,
John Carro,
Sidney H. Asch,
Arnold L. Fein,
Betty Weinberg Ellerin, Justices.

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George Sassower,
Plaintiff-Appellant,
-against-
New York News Inc.,
Defendant-Respondent,
-and-
Ernest L. Signorelli, et al.,
Defendants.

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M-4266

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The above-named plaintiff-appellant having moved for an order of this Court vacating its prior order (M-3129) entered on July 25, 1985, which, sua sponte, dismissed appellant's appeal from the order and judgment of the Supreme Court, New York County, entered, respectively, on September 6 and September 14, 1984; and for other relief,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support of said motion and the papers filed in opposition or in relation thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby is denied in its entirety.

ENTER:

Harold J. Reynolds
Clerk.

FILED
OCT 24 1985