

State of New York,
Court of Appeals

At a session of the Court, held at Court of
Appeals Hall in the City of Albany
on the.....thirteenth.....day
of.....September..... 1994

Present, HON. JUDITH S. KAYE, *Chief Judge, presiding.*

Mo. No. 817
In the Matter of Arlene C.
Carella,
Respondent,
v.
Charles E. Collins III,
Appellant.
(and another proceeding.)

The appellant having filed notices of appeal and a motion for leave to appeal and for poor person relief to the Court of Appeals in the above causes, papers having been submitted thereon and due deliberation having been thereupon had, it is

ORDERED, on the Court's own motion, that the appeals taken as of right from the Appellate Division orders entered May 12, 1994 and May 16, 1994, respectively, be and the same hereby are dismissed, without costs, each upon the ground that the order appealed from does not finally determine the proceeding within the meaning of the Constitution; and it is

ORDERED, that the said motion for leave to appeal be and the same hereby is dismissed upon the ground that the Appellate Division order entered May 12, 1994 sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution; and it is

ORDERED, that the said motion for poor person relief be and the same hereby is dismissed as academic.

Donald M. Sheraw

Donald M. Sheraw
Clerk of the Court



State of New York
Court of Appeals

Donald M. Sherwin
Clerk of the Court

Clerk's Office
Albany, New York 12207

DECISION September 13, 1994

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In the Matter of Arlene C.
Carella,
Respondent,
v.
Charles E. Collins III,
Appellant.

On the Court's own motion, appeals taken as of right from the Appellate Division orders entered May 12, 1994 and May 16, 1994, respectively, dismissed, without costs, each upon the ground that the order appealed from does not finally determine the proceeding within the meaning of the Constitution; motion for leave to appeal dismissed upon the ground that the Appellate Division order entered May 12, 1994 sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.
Motion for poor person relief dismissed as academic.