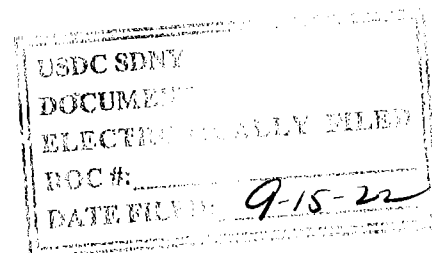


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
ANGELINA PALMA, as Administrator of the :
Estate of Felice Palma aka Felix Palma, :
Plaintiff, :

v. :

CABRINI OF WESTCHESTER, doing business :
as St. Cabrini Nursing Home; ABC :
CORPORATION; and ABC PARTNERSHIP, :
Defendants. :

-----X

ORDER

22 CV 5430 (VB)

By Opinion and Order dated August 15, 2022, the Court remanded this case to Supreme Court, Westchester County. (Doc. #12 (the "Remand Order")). On the same day, the Clerk mailed a certified copy of the Remand Order to the state court.

On August 17, 2022, defendant moved for a thirty-day automatic stay of the execution of the Remand Order to give defendant an opportunity to file a notice of appeal. (Doc. #13).

On August 29, 2022, the Court GRANTED defendant's motion for a limited stay, vacated the Clerk's previous execution of the Remand Order, and stayed further execution of the Remand Order until September 14, 2022, for the sole purpose of permitting defendant to file a notice of appeal. (Doc. #16).

The automatic stay having expired, and defendant having filed a notice of appeal of the Remand Order on August 29, 2022 (Doc. #18), the Court sees no reason to continue the limited stay.

Accordingly, Clerk is instructed to execute the Remand Order, and to transmit a copy of this Order, as well as the Remand Order, to Supreme Court, Westchester County.

Finally, the docket indicates that the Remand Order was "Vacated as per Judge's Order dated 8/29/2022, Doc. #16." However, the Court's August 29 Order merely vacated the execution of the Remand Order, and did not vacate the Remand Order itself. The Clerk is therefore directed to remove the notation that the Remand Order was vacated.

Dated: September 15, 2022
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge