

**SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
SECOND JUDICIAL DEPARTMENT**

Emigrant Mtge. Co., Inc. v. Thevenin

127 A.D.3d 919 (2d Dep't 2015) · No. 2014-06436 · Decided April 15, 2015

OPINION

PER CURIAM.

Emigrant Mtge. Co., Inc. v Thevenin (2015 NY Slip Op 03125) Emigrant Mtge. Co., Inc. v Thevenin 2015 NY Slip Op 03125 Decided on April 15, 2015 Appellate Division, Second Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports.

Decided on April 15, 2015 SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Second Judicial Department RUTH C. BALKIN, J.P. SHERI S. ROMAN SANDRA L. SGROI HECTOR D. LASALLE, JJ. 2014-06436 (Index No. 14290/09) [*1]Emigrant Mortgage Company, Inc., appellant, vPierre Louis Thevenin, et al., respondents. Borchert & LaSpina, P.C., Whitestone, N.Y. (Helmut Borchert and Caroline G. Caulfield of counsel), for appellant.

DECISION & ORDER In an action to foreclose a mortgage, the plaintiff appeals from an order of the Supreme Court, Kings County (Jacobson, J.), dated March 25, 2014, which denied its motion for leave to reargue its motion, inter alia, for an order of reference, which had been denied in an order of the same court dated February 8, 2012. ORDERED that the appeal is dismissed, without costs or disbursements.

This appeal must be dismissed, as no appeal lies from an order denying reargument (see Basile v Wiggs, 117 AD3d 766, 766; Naso v Naso, 102 AD3d 755, 756). BALKIN, J.P., ROMAN, SGROI and LASALLE, JJ., concur. ENTER: Aprilanne Agostino Clerk of the Court