

**SHORT FORM ORDER**

**SUPREME COURT - STATE OF NEW YORK**

**Present:**

**HON. F. DANA WINSLOW,**

**Justice**

**ANDY ESPINAL, an infant by his Mother and  
natural guardian, XIOMARA PRADA,**

**Plaintiff,**

**-against-**

**COUNTY OF NASSAU and NASSAU COUNTY  
MEDICAL CENTER,**

**Defendant(s).**

*SCW*  
**TRIAL/IAS, PART 12  
NASSAU COUNTY**

**MOTION DATE: 02-18-04**

**INDEX NO.: 019133/00**

**MOTION SEQ # 004**

**The following papers having been read on the motion:**

**Notice of Motion.....1**

Defendant's motion to dismiss the complaint pursuant to CPLR §3216 is hereby *granted*, unopposed. A copy of this Order with notice of entry shall be served upon the plaintiff, pro se, pursuant to CPLR 308(1), (2) or (3).

This constitutes the Order of the Court.

Dated: June 2, 2004

ENTER:

*F. Dana Winslow*  
J. S. C.

**ENTERED**

**JUN 17 2004**

**NASSAU COUNTY  
COUNTY CLERK'S OFFICE**