

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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CA 09-01912

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, CARNI, AND LINDLEY, JJ.

IN THE MATTER OF CARMEN LARATONDA,
CLAIMANT-APPELLANT,

V

ORDER

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT,
RESPONDENT-RESPONDENT.

BROWN CHIARI LLP, LANCASTER (SAMUEL J. CAPIZZI OF COUNSEL), FOR
CLAIMANT-APPELLANT.

PETRONE & PETRONE, P.C., BUFFALO (JAMES H. COSGRIFF, III, OF COUNSEL),
FOR RESPONDENT-RESPONDENT.

Appeal from an order of the Supreme Court, Niagara County
(Richard C. Kloch, Sr., A.J.), entered December 12, 2008. The order
denied the application of claimant for leave to serve a late notice of
claim.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs.

Entered: February 11, 2010

Patricia L. Morgan
Clerk of the Court