

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

1229

CA 19-00694

PRESENT: CARNI, J.P., LINDLEY, CURRAN, WINSLOW, AND BANNISTER, JJ.

ROSEANN MAURER, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

KENDALL COLTON, SHERRY COLTON, AND THOMAS COLTON,
DEFENDANTS-APPELLANTS.
(APPEAL NO. 2.)

LAW OFFICES OF DESTIN C. SANTACROSE, BUFFALO (ELISE L. CASSAR OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

GIBSON, MCASKILL & CROSBY, LLP, BUFFALO (MICHAEL J. WILLET OF
COUNSEL), AND THE HIGGINS KANE LAW GROUP, P.C., FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Mark A. Montour, J.), entered November 5, 2018. The order denied defendants' motion seeking leave to renew their opposition to plaintiff's motion for partial summary judgment.

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

Same memorandum as in *Maurer v Colton* ([appeal No. 3] – AD3d – [Feb. 7, 2020] [4th Dept 2020]).

Entered: February 7, 2020

Mark W. Bennett
Clerk of the Court