

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

179.1

CA 19-02324

PRESENT: SMITH, J.P., LINDLEY, NEMOYER, TROUTMAN, AND DEJOSEPH, JJ.

IN THE MATTER OF THEODORE FORSYTH,
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

CITY OF ROCHESTER AND ROCHESTER POLICE
DEPARTMENT, RESPONDENTS-RESPONDENTS.
(APPEAL NO. 2.)

ROTH & ROTH LLP, NEW YORK CITY (ELLIOT SHIELDS OF COUNSEL), FOR
PETITIONER-APPELLANT.

TIMOTHY R. CURTIN, CORPORATION COUNSEL, ROCHESTER (STEPHANIE A. PRINCE
OF COUNSEL), FOR RESPONDENTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered June 3, 2019 in a proceeding pursuant to CPLR article 78. The order denied the motion of petitioner seeking, among other things, to hold respondents in contempt.

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

Same memorandum as in *Matter of Forsyth v City of Rochester* ([appeal No. 1] – AD3d – [July 24, 2020] [4th Dept 2020]).

Entered: July 24, 2020

Mark W. Bennett
Clerk of the Court