

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

937

CA 20-01275

PRESENT: CENTRA, J.P., LINDLEY, CURRAN, TROUTMAN, AND DEJOSEPH, JJ.

DAVID K. MOYER AND MARGARET MAHAR,
PLAINTIFFS-RESPONDENTS,

V

ORDER

MYRON W. MOYER, III, DEFENDANT-APPELLANT.

BOND, SCHOENECK & KING, PLLC, BUFFALO (JAY A. ORGANЕК OF COUNSEL), FOR
DEFENDANT-APPELLANT.

HARDY MARBLE, LLP, LOCKPORT (BRADLEY D. MARBLE OF COUNSEL), FOR
PLAINTIFFS-RESPONDENTS.

Appeal from a decision of the Supreme Court, Niagara County
(Ralph A. Boniello, III, J.), entered September 21, 2020. The
decision denied defendant's motion to dismiss the complaint.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs (see *Kuhn v Kuhn*, 129 AD2d 967, 967 [4th Dept 1987]).

Entered: October 18, 2021

Ann Dillon Flynn
Clerk of the Court