

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

17

CA 23-00546

PRESENT: WHALEN, P.J., LINDLEY, OGDEN, NOWAK, AND DELCONTE, JJ.

IN THE MATTER OF DANIEL T. WARREN,
PETITIONER-PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

PLANNING BOARD OF THE TOWN OF WEST SENECA,
TOWN OF WEST SENECA, AND CANISIUS HIGH
SCHOOL OF BUFFALO, NEW YORK, BY AND THROUGH
FR. DAVID CIANCIMINO, S.J., AS ITS PRESIDENT,
RESPONDENTS-DEFENDANTS-RESPONDENTS.
(APPEAL NO. 2.)

DANIEL T. WARREN, PETITIONER-PLAINTIFF-APPELLANT PRO SE.

GRECO TRAPP, PLLC, BUFFALO (CHRIS G. TRAPP OF COUNSEL), FOR
RESPONDENTS-DEFENDANTS-RESPONDENTS PLANNING BOARD OF THE TOWN OF WEST
SENECA, AND TOWN OF WEST SENECA.

COSGROVE LAW FIRM, BUFFALO (EDWARD C. COSGROVE OF COUNSEL), FOR
RESPONDENT-DEFENDANT-RESPONDENT CANISIUS HIGH SCHOOL OF BUFFALO, NEW
YORK, BY AND THROUGH FR. DAVID CIANCIMINO, S.J., AS ITS PRESIDENT.

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered March 28, 2023, in a proceeding pursuant to CPLR article 78 and declaratory judgment action. The order settled the record on appeal.

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

Same memorandum as in *Matter of Warren v Planning Bd. of Town of W. Seneca* ([appeal No. 1] – AD3d – [Mar. 22, 2024] [4th Dept 2024]).

Entered: March 22, 2024

Ann Dillon Flynn
Clerk of the Court