

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

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CA 21-00690

PRESENT: SMITH, J.P., CENTRA, PERADOTTO, LINDLEY, AND WINSLOW, JJ.

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TITUS HOWELL, PLAINTIFF-APPELLANT,

V

ORDER

TIMOTHY WALLACE AND BARBARA WALLACE,  
DEFENDANTS-RESPONDENTS.

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PARISI & BELLAVIA, LLP, ROCHESTER (TIMOTHY C. BELLAVIA OF COUNSEL),  
FOR PLAINTIFF-APPELLANT.

COSTELLO, COONEY & FEARON, PLLC, SYRACUSE (STACY A. MARRIS OF  
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Monroe County (William K. Taylor, J.), entered April 21, 2021. The order, among other things, denied in part plaintiff's motion for summary judgment.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: April 22, 2022

Ann Dillon Flynn  
Clerk of the Court