

MOTION NO. (1116/99) KA 99-00063. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V SAMUEL MCNEAR, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., LINDLEY, NEMOYER, CURRAN, AND WINSLOW, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (201/18) KA 15-00130. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V MARK CARRIGAN, DEFENDANT-APPELLANT. (APPEAL NO. 1.) -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., SMITH, LINDLEY, CURRAN, AND MONTOUR, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (202/18) KA 15-00131. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V MARK CARRIGAN, DEFENDANT-APPELLANT. (APPEAL NO. 2.) -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., SMITH, LINDLEY, CURRAN, AND MONTOUR, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (722/20) KA 16-01161. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ROBERT L. MOORE, II, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: CURRAN, J.P., SMITH, LINDLEY, BANNISTER, AND MONTOUR, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (109/22) KA 18-01725. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RANDY WILLIAMS, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., SMITH, PERADOTTO, NEMOYER, AND CURRAN, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (202/22) KA 18-01853. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V HANZA MUHAMMAD, DEFENDANT-APPELLANT. -- Motion for reargument denied. PRESENT: LINDLEY, J.P., PERADOTTO, CURRAN, WINSLOW, AND BANNISTER, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (206/22) CA 21-00512. -- ROGER DUTTON, PLAINTIFF-APPELLANT, V YOUNG MEN'S CHRISTIAN ASSOCIATION OF BUFFALO NIAGARA, DEFENDANT-RESPONDENT. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: PERADOTTO, J.P., LINDLEY, CURRAN, WINSLOW, AND BANNISTER, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (253/22) CA 20-01382. -- DEBORAH A. LITTLE, PLAINTIFF-APPELLANT, V STEELCASE, INC., DEFENDANT-RESPONDENT, ET AL., DEFENDANT. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: SMITH, J.P., CENTRA, PERADOTTO, LINDLEY, AND WINSLOW, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (301/22) CA 21-00604. -- JOHN SHAPIRO, DAVID SWEET AND A.A., PLAINTIFFS-APPELLANTS-RESPONDENTS, V SYRACUSE UNIVERSITY, DEFENDANT-APPELLANT, BOARD OF TRUSTEES OF SYRACUSE UNIVERSITY, DEFENDANT, CAMP GREYLOCK FOR BOYS, INC., CAMP GREYLOCK, INC., ALSO KNOWN AS MARHORN, INC., MICHAEL MARCUS, AND LUKAS HORN, DEFENDANTS-RESPONDENTS. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J.,

SMITH, CENTRA, NEMOYER, AND WINSLOW, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (301/22) CA 21-00604. -- JOHN SHAPIRO, DAVID SWEET AND A.A.,
PLAINTIFFS-APPELLANTS-RESPONDENTS, V SYRACUSE UNIVERSITY,
DEFENDANT-APPELLANT, BOARD OF TRUSTEES OF SYRACUSE UNIVERSITY, DEFENDANT,
CAMP GREYLOCK FOR BOYS, INC., CAMP GREYLOCK, INC., ALSO KNOWN AS MARHORN,
INC., MICHAEL MARCUS, AND LUKAS HORN, DEFENDANTS-RESPONDENTS. -- Motion for
reargument or leave to appeal to the Court of Appeals denied. PRESENT:
WHALEN, P.J., SMITH, CENTRA, NEMOYER, AND WINSLOW, JJ. (Filed Nov. 10,
2022.)

MOTION NO. (311/22) CA 21-01337. -- SCOTT THOMAS, PLAINTIFF-APPELLANT, V
NORTH COUNTRY FAMILY HEALTH CENTER, INC. AND NORTH COUNTRY CHILDREN'S
CLINIC, DEFENDANTS-RESPONDENTS. -- Motion for reargument or leave to appeal
to the Court of Appeals denied. PRESENT: CENTRA, J.P., PERADOTTO,
LINDLEY, CURRAN, AND BANNISTER, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (405/22) CA 21-00235. -- GERALDINE CLARK AND MOSES CLARK,
PLAINTIFFS-APPELLANTS-RESPONDENTS, V STEPHAN J. RACHFAL, M.D., DEFENDANT,
JOHN CUCINOTTA, M.D., CROUSE RADIOLOGY ASSOCIATES, LLP,
DEFENDANTS-APPELLANTS, CROUSE HOSPITAL EMERGENCY MEDICINE DEPARTMENT,
CROUSE HEALTH HOSPITAL, INC. AND KRISTA J. KANDEL, M.D.,
DEFENDANTS-RESPONDENTS. -- Motion for reargument be and the same hereby is

granted in part and, upon reargument, the memorandum and order entered July 8, 2022 (207 AD3d 1173 [4th Dept 2022]) is amended by deleting the second and third sentences of the sixth paragraph of the memorandum and substituting the following sentences: "Dr. Kandel permitted plaintiff to leave the hospital while a review of her brain MRI was pending. Plaintiffs' expert opined that discharging plaintiff before a review of the scans was complete constituted a deviation from the standard of care in light of plaintiff's medical history, which indicated a significant stroke risk." PRESENT: SMITH, J.P., CENTRA, LINDLEY, AND CURRAN, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (407/22) CA 21-00665. -- ZOOM TAN, INC., PLAINTIFF-RESPONDENT, V SHERIDAN PLAZA, LLC, DEFENDANT-APPELLANT. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., SMITH, CENTRA, LINDLEY, AND CURRAN, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (442/22) CA 21-00569. -- RYAN WEAVER, PLAINTIFF-RESPONDENT, V DERONDE TIRE SUPPLY, INC., DERONDE CASINGS, LTD., DERONDE TIRE COMPANY, DEFENDANTS-APPELLANTS, AND ESTES EXPRESS LINES, DEFENDANT. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., SMITH, PERADOTTO, CURRAN, AND BANNISTER, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (501/22) CA 21-00891. -- COUNSEL FINANCIAL HOLDINGS LLC, PLAINTIFF-RESPONDENT, V SULLIVAN LAW, L.L.C., ROBERT C. SULLIVAN, BIANCA T. SULLIVAN, JOHN R. BONDON, PARROT PROPERTIES, INC., ROBBA PROPERTIES, L.L.C., AND SOUTH SIDE INVESTMENT COMPANY, DEFENDANTS-APPELLANTS. (APPEAL NO. 2.) -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: LINDLEY, J.P., NEMOYER, CURRAN, WINSLOW, AND BANNISTER, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (512/22) CA 21-00160. -- S.P., PLAINTIFF-APPELLANT, V M.P., DEFENDANT-RESPONDENT. -- Motion for leave to renew denied. PRESENT: WHALEN, P.J., SMITH, PERADOTTO, AND WINSLOW, JJ. (Filed Nov. 10, 2022.)

MOTION NO. (575/22) CA 22-00200. -- S.P., PLAINTIFF-APPELLANT, V M.P., DEFENDANT-RESPONDENT. -- Motion for leave to renew denied. PRESENT: SMITH, J.P., CENTRA, PERADOTTO, CURRAN, AND WINSLOW, JJ. (Filed Nov. 10, 2022.)

CAF 21-00783. -- IN THE MATTER OF ZAHRA KHAWARI, PETITIONER-RESPONDENT, V HAIDAR KHAWARI, RESPONDENT-APPELLANT. -- Order unanimously affirmed. Counsel's motion to be relieved of assignment granted. (Appeal from order of Family Court, Erie County, Mary Giallanza Carney, J. - Custody). (Filed Nov. 10, 2022.)