

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

1029

CA 21-01515

PRESENT: SMITH, J.P., PERADOTTO, BANNISTER, MONTOUR, AND OGDEN, JJ.

MARY BETH LEWIS, INDIVIDUALLY AND AS COURT-
APPOINTED GUARDIAN OF THE PERSON AND PROPERTY
OF KRISTINA MARIE LEWIS, PURSUANT TO ARTICLE 81
OF THE NEW YORK STATE MENTAL HYGIENE LAW,
PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

ROSALIND SULAIMAN, M.D., CHRISTOPHER M.
OCCHINO, M.D., DEFENDANTS,
MERCY HOSPITAL OF BUFFALO AND CATHOLIC HEALTH
SYSTEM, INC., DEFENDANTS-APPELLANTS.
(APPEAL NO. 2.)

BARGNESI BRITT PLLC, BUFFALO (JASON T. BRITT OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

CHERUNDOLO LAW FIRM, PLLC, SYRACUSE (PETER C. PAPAYANAKOS OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered August 23, 2021. The order, among other things, denied in part the motion of defendants Mercy Hospital of Buffalo and Catholic Health System, Inc. for summary judgment.

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

Same memorandum as in *Lewis v Sulaiman* ([appeal No. 1] – AD3d – [June 9, 2023] [4th Dept 2023]).

Entered: June 9, 2023

Ann Dillon Flynn
Clerk of the Court