

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

910

CA 12-01497

PRESENT: SMITH, J.P., CARNI, SCONIERS, AND VALENTINO, JJ.

PHILLIP DEL NERO, PLAINTIFF-APPELLANT,

V

ORDER

MARK COLVIN, DEFENDANT-RESPONDENT.
(APPEAL NO. 1.)

BOUSQUET HOLSTEIN PLLC, SYRACUSE (ROBERT K. WEILER OF COUNSEL), FOR
PLAINTIFF-APPELLANT.

SUGARMAN LAW FIRM, LLP, SYRACUSE (KEVIN R. VAN DUSER OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County (Brian F. DeJoseph, J.), entered March 14, 2012. The order, among other things, granted the motion of defendant for summary judgment dismissing the second amended complaint.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (*see Loafin' Tree Rest. v Pardi* [appeal No. 1], 162 AD2d 985, 985).

Entered: November 8, 2013

Frances E. Cafarell
Clerk of the Court