

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

574

CA 13-00909

PRESENT: SMITH, J.P., PERADOTTO, SCONIERS, WHALEN, AND DEJOSEPH, JJ.

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TIMOTHY D. GAY, PLAINTIFF-APPELLANT,

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MEMORANDUM AND ORDER

MARIA GAY, DEFENDANT-RESPONDENT.  
(APPEAL NO. 2.)

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MELVIN & MELVIN, PLLC, SYRACUSE, D.J. & J.A. CIRANDO, ESQS. (JOHN A. CIRANDO OF COUNSEL), FOR PLAINTIFF-APPELLANT.

MACHT, BRENIZER & GINGOLD, P.C., SYRACUSE (JON W. BRENIZER OF COUNSEL), FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Onondaga County (Kevin G. Young, J.), entered October 3, 2012 in a divorce action. The order, among other things, denied plaintiff's motion for leave to renew and/or reargue.

It is hereby ORDERED that said appeal from the order insofar as it denied leave to reargue is unanimously dismissed and the order is affirmed without costs.

Same Memorandum as in *Gay v Gay* ([appeal No. 1] \_\_\_ AD3d \_\_\_ [June 13, 2014]).

Entered: June 13, 2014

Frances E. Cafarell  
Clerk of the Court