

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

**697**

**CA 17-01986**

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

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JOSE RIVERA, CLAIMANT-APPELLANT,

V

ORDER

STATE OF NEW YORK, DEFENDANT-RESPONDENT.

(CLAIM NO. 120113.)

(APPEAL NO. 1.)

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GOLDBERGER & DUBIN, P.C., NEW YORK CITY (STACEY VAN MALDEN OF COUNSEL), FOR CLAIMANT-APPELLANT.

BARBARA D. UNDERWOOD, ATTORNEY GENERAL, ALBANY (PATRICK A. WOODS OF COUNSEL), FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Court of Claims (Judith A. Hard, J.), entered February 19, 2016. The order, among other things, granted the motion of defendant for leave to amend its answer.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see *Architectural Bldrs. v Pollard*, 267 AD2d 704, 705 [3d Dept 1999]; see also CPLR 5501 [a] [1]).

Entered: June 8, 2018

Mark W. Bennett  
Clerk of the Court