

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

**766**

**CA 18-00198**

PRESENT: WHALEN, P.J., CARNI, LINDLEY, DEJOSEPH, AND WINSLOW, JJ.

---

ISRAEL JENKINS, PLAINTIFF-RESPONDENT,

V

ORDER

WILLIE JAMES ALSTON, JR., ET AL., DEFENDANTS,  
AND TIEN NGUYEN, DEFENDANT-APPELLANT.

---

WOODS OVIATT GILMAN LLP, ROCHESTER (GRETA K. KOLCON OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

ATHARI & ASSOCIATES, LLC, NEW HARTFORD (ELIZABETH ALLERS OF COUNSEL),  
FOR PLAINTIFF-RESPONDENT.

---

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered June 29, 2017. The order denied the motion of defendant Tien Nguyen for summary judgment dismissing the complaint against her.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: June 8, 2018

Mark W. Bennett  
Clerk of the Court