

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

**383**

**CA 17-02195**

PRESENT: SMITH, J.P., PERADOTTO, CARNI, LINDLEY, AND TROUTMAN, JJ.

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CELLINO & BARNES, P.C., PLAINTIFF-RESPONDENT,

V

ORDER

BRIAN CHAPIN YORK, DEFENDANT-APPELLANT.  
(APPEAL NO. 1.)

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BRIAN CHAPIN YORK, DEFENDANT-APPELLANT PRO SE.

CELLINO & BARNES, P.C., BUFFALO (GREGORY V. PAJAK OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered September 29, 2017. The order, among other things, awarded plaintiff attorneys' fees.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see *Hughes v Nussbaumer, Clarke & Velzy*, 140 AD2d 988, 988 [4th Dept 1988]; *Chase Manhattan Bank, N.A. v Roberts & Roberts*, 63 AD2d 566, 567 [1st Dept 1978]; see also CPLR 5501 [a] [1]).

Entered: March 22, 2019

Mark W. Bennett  
Clerk of the Court