

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

**266**

**CA 20-01188**

PRESENT: PERADOTTO, J.P., CARNI, NEMOYER, TROUTMAN, AND WINSLOW, JJ.

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KIM M. CAPOZZOLO, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

ARCANGELO CAPOZZOLO, DEFENDANT-APPELLANT.  
(APPEAL NO. 2.)

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HOGANWILLIG, PLLC, BUFFALO (KENNETH A. OLENA OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

TRISHÉ L.A. HYNES, CORFU, FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered September 3, 2020. The order, among other things, directed the County Clerk to enter a money judgment against defendant.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same memorandum as in *Capozzolo v Capozzolo* ([appeal No. 1] – AD3d – [June 17, 2021] [4th Dept 2021]).

Entered: June 17, 2021

Mark W. Bennett  
Clerk of the Court