

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

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CA 21-00314

PRESENT: WHALEN, P.J., NEMOYER, CURRAN, WINSLOW, AND BANNISTER, JJ.

IN THE MATTER OF CIMATO ENTERPRISES, INC.,
PETITIONER-APPELLANT,

V

ORDER

TOWN OF CLARENCE, TOWN OF CLARENCE TOWN BOARD
AND PATRICK CASILIO, PETER DICOSTANZO,
ROBERT A. GEIGER, CHRISTOPHER D. GREENE AND
PAUL SHEAR, SAID PERSONS CONSTITUTING TOWN OF
CLARENCE TOWN BOARD, RESPONDENTS-RESPONDENTS.

LAW OFFICE OF RALPH C. LORIGO, WEST SENECA (FRANK J. JACOBSON OF
COUNSEL), FOR PETITIONER-APPELLANT.

WEBSTER SZANYI LLP, BUFFALO (D. CHARLES ROBERTS, JR., OF COUNSEL), FOR
RESPONDENTS-RESPONDENTS.

Appeal from a judgment (denominated order and judgment) of the
Supreme Court, Erie County (Frank A. Sedita, III, J.), entered
February 2, 2021 in a proceeding pursuant to CPLR article 78. The
judgment dismissed the petition.

It is hereby ORDERED that the judgment so appealed from is
unanimously affirmed without costs.

Entered: January 28, 2022

Ann Dillon Flynn
Clerk of the Court