

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

**927**

**CA 22-00431**

PRESENT: WHALEN, P.J., SMITH, PERADOTTO, CURRAN, AND BANNISTER, JJ.

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FARID POPAL, PLAINTIFF-APPELLANT,

V

ORDER

ZACHARY MARGULIS-OHNUMA, DEFENDANT-RESPONDENT.

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FARID POPAL, PLAINTIFF-APPELLANT PRO SE.

GROSS SHUMAN P.C., BUFFALO (CHARLES C. SWANEKAMP OF COUNSEL), FOR  
DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Paul Wojtaszek, J.), entered November 17, 2021. The order granted the motion of defendant to dismiss the complaint.

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

Entered: December 23, 2022

Ann Dillon Flynn  
Clerk of the Court