

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

523

CA 23-00714

PRESENT: WHALEN, P.J., CURRAN, BANNISTER, DELCONTE, AND HANNAH, JJ.

STEPHANIE DUHART-NEAL, AS ADMINISTRATOR
OF THE ESTATE OF SAMUEL NEAL, JR., DECEASED,
PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

MONROE COUNTY, MONROE COMMUNITY HOSPITAL AND
JOHN/JANE DOES #1-5, DEFENDANTS-RESPONDENTS.
(APPEAL NO. 1.)

THE RUSSELL FRIEDMAN LAW GROUP, LLP, GARDEN CITY (NEIL FLYNN OF
COUNSEL), FOR PLAINTIFF-APPELLANT.

JOHN P. BRINGEWATT, COUNTY ATTORNEY, ROCHESTER (ALISSA M. BRENNAN OF
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Monroe County
(Victoria M. Argento, J.), entered March 23, 2023. The order denied
the motion of plaintiff for an order, inter alia, deeming service of
the amended and supplemental notice of claim valid or for leave to
serve the amended and supplemental notice of claim.

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

Same memorandum as in *Duhart-Neal v Monroe County* ([appeal No. 2]
– AD3d – [July 26, 2024] [4th Dept 2024]).

Entered: July 26, 2024

Ann Dillon Flynn
Clerk of the Court