

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

1068

CA 17-01406

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, AND DEJOSEPH, JJ.

GLASCO ROZIER, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

BTNH, INC., DOING BUSINESS AS DELAWARE NURSING &
REHABILITATION CENTER, DEFENDANT-RESPONDENT.
(APPEAL NO. 1.)

JOY A. KENDRICK, BUFFALO, FOR PLAINTIFF-APPELLANT.

UNDERBERG & KESSLER LLP, BUFFALO (COLIN D. RAMSEY OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered March 29, 2017. The order, insofar as appealed from, denied those parts of the motion of plaintiff seeking to preclude certain testimony and seeking partial summary judgment.

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

Same memorandum as in *Rozier v BTNH, Inc.* ([appeal No. 2] – AD3d – [Nov. 9, 2018] [4th Dept 2018])

Entered: November 9, 2018

Mark W. Bennett
Clerk of the Court