

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

1175

CA 20-01505

PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, CURRAN, AND WINSLOW, JJ.

JOSUE ORTIZ, CLAIMANT-APPELLANT,

V

MEMORANDUM AND ORDER

STATE OF NEW YORK, DEFENDANT-RESPONDENT.

(CLAIM NO. 126292.)

(APPEAL NO. 2.)

MAGAVERN MAGAVERN GRIMM LLP, BUFFALO (EDWARD J. MARKARIAN OF COUNSEL),
FOR CLAIMANT-APPELLANT.

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (DUSTIN J. BROCKNER OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from a corrected order of the Court of Claims (Michael E. Hudson, J.), entered July 13, 2020. The corrected order denied the motion of defendant for summary judgment.

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

Same memorandum as in *Ortiz v State of New York* ([appeal No. 3] – AD3d – [Mar. 18, 2022] [4th Dept 2022]).

Entered: March 18, 2022

Ann Dillon Flynn
Clerk of the Court