

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

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**CA 22-01423**

PRESENT: WHALEN, P.J., PERADOTTO, BANNISTER, MONTOUR, AND GREENWOOD,  
JJ.

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CRESSIDA A. DIXON, MONROE COUNTY PUBLIC  
ADMINISTRATOR, C.T.A. OF THE ESTATE OF  
LENA G. ZIELINSKI, DECEASED, GENERAL  
PARTNER OF E-Z MINI STORAGE L.P., EDWARD J.  
ZIELINSKI, ERIC A. ZIELINSKI AND ELIOT S.  
ZIELINSKI, LIMITED PARTNERS OF E-Z MINI  
STORAGE, L.P., PLAINTIFFS-APPELLANTS,

V

ORDER

EARL D. ZIELINSKI, INDIVIDUALLY AND AS A  
GENERAL PARTNER OF E-Z MINI STORAGE, L.P.,  
DEFENDANT-RESPONDENT.

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HANDELMAN, WITKOWICZ & LEVITSKY, ROCHESTER (MARTIN S HANDELMAN OF  
COUNSEL), FOR PLAINTIFFS-APPELLANTS.

GALLO & IACOVANGELO, LLP, ROCHESTER (CRAIG D. CHARTIER OF COUNSEL),  
FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Monroe County  
(Christopher S. Ciaccio, A.J.), entered October 25, 2021. The order  
granted the motion of defendant for summary judgment dismissing the  
complaint and denied the cross motion of plaintiffs for summary  
judgment.

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

Entered: March 17, 2023

Ann Dillon Flynn  
Clerk of the Court