

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

312

CA 22-01332

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

ROBERT T. BURNETT, PLAINTIFF-RESPONDENT,

V

ORDER

DESTINI ALLEN, BRIAN J. SMITH AND J&L
JANITORIAL SERVICES, INC., DOING BUSINESS AS
K&K JANITORIAL SERVICE, DEFENDANTS-APPELLANTS.
(APPEAL NO. 1.)

HAGELIN SPENCER LLC, BUFFALO (LAURA B. GARDINER OF COUNSEL), FOR
DEFENDANT-APPELLANT DESTINI ALLEN.

SMITH, SOVIK, KENDRICK & SUGNET, P.C., WILLIAMSVILLE (ALAN J. BEDENKO OF
COUNSEL), FOR DEFENDANTS-APPELLANTS BRIAN J. SMITH AND J&L JANITORIAL
SERVICES, INC., DOING BUSINESS AS K&K JANITORIAL SERVICE.

ANDREWS, BERNSTEIN, MARANTO & NICOTRA, PLLC, BUFFALO (ANTHONY IACONO OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeals from an order of the Supreme Court, Erie County (Lynn W. Keane, J.), entered July 29, 2022. The order, among other things, granted in part the cross-motion of plaintiff for summary judgment.

It is hereby ORDERED that said appeals are unanimously dismissed without costs (*see Matter of Eric D.* [appeal No. 1], 162 AD2d 1051, 1051 [4th Dept 1990]).

Entered: July 28, 2023

Ann Dillon Flynn
Clerk of the Court