

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

789.1

CA 23-00411

PRESENT: SMITH, J.P., LINDLEY, MONTOUR, GREENWOOD, AND DELCONTE, JJ.

IN THE MATTER OF EDWARD SCHNEIDER, III,
PETITIONER-APPELLANT,

V

ORDER

TOWN OF EVANS, RESPONDENT-RESPONDENT.

GUERCIO & GUERCIO, LLP, FARMINGDALE (CORY HALL MORRIS OF COUNSEL), FOR
PETITIONER-APPELLANT.

BENNETT, DIFILIPPO, KURTZHALTS, WHITTEMORE & SEIBOLD, LLP, EAST AURORA
(MAURA C. SEIBOLD OF COUNSEL), FOR RESPONDENT-RESPONDENT.

Appeal from a judgment (denominated order) of the Supreme Court,
Erie County (Emilio Colaiacovo, J.), entered February 27, 2023, in a
proceeding pursuant to CPLR article 78. The judgment denied and
dismissed the petition.

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

Entered: November 17, 2023

Ann Dillon Flynn
Clerk of the Court