

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

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_____AD3d_____

Submitted - October 11, 2006

THOMAS A. ADAMS, J.P.
GABRIEL M. KRAUSMAN
REINALDO E. RIVERA
ROBERT A. LIFSON, JJ.

2005-08928

DECISION & ORDER

Chae S. Sone, appellant, v Steven Park, respondent.

(Index No. 5850/05)

Chae S. Sone, Hicksville, N.Y., appellant pro se.

In an action, inter alia, to recover damages for defamation, the plaintiff appeals from an order of the Supreme Court, Nassau County (Winslow, J.), dated August 4, 2005, which granted that branch of the defendant's motion which was to dismiss the complaint pursuant to CPLR 3211(a)(5) and (a)(7).

ORDERED that the order is affirmed, without costs or disbursements.

The Supreme Court properly granted that branch of the defendant's motion which was to dismiss the complaint pursuant to CPLR 3211(a)(5) and (a)(7). The allegations contained in the complaint either are time barred (*see* CPLR 3211[a][5]; CPLR 215[3]; *Frederick v Fried*, 10 AD3d 444, 445; *Kwarren v American Airlines*, 303 AD2d 722) or fail to state a cause of action (*see* CPLR 3211[a][7]).

The plaintiff's remaining contentions are without merit.

ADAMS, J.P., KRAUSMAN, RIVERA and LIFSON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 28, 2006

SONE v PARK