

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

D13330
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_____AD3d_____

Argued - November 27, 2006

STEPHEN G. CRANE, J.P.
ROBERT A. SPOLZINO
GABRIEL M. KRAUSMAN
GLORIA GOLDSTEIN, JJ.

2005-07718

DECISION & ORDER

Anna Vezza, etc., et al., appellants, v Spring Rock
Golf Center, Inc., respondent.

(Index No. 8817/03)

Yudin & Yudin, PLLC, New York, N.Y. (Ronald M. Yudin of counsel), for
appellants.

John P. Humphreys, Melville, N.Y. (Scott W. Driver of counsel), for respondent.

In an action to recover damages for personal injuries, etc., the plaintiffs appeal from
an order of the Supreme Court, Nassau County (Mahon, J.), dated June 24, 2005, which granted the
defendant's motion for summary judgment dismissing the complaint.

ORDERED that the order is affirmed, with costs.

The infant plaintiff was injured when she stepped onto a fairway of a miniature golf
course to look for a missing ball. The defendant established its entitlement to judgment as a matter
of law (*see Capozzi v Huhne*, 14 AD3d 474; *Jang Hee Lee v Sung Whun Oh*, 3 AD3d 473, 474;
Cupo v Karfunkel, 1 AD3d 48, 52; *Dawson v Cafiero*, 292 AD2d 488). In opposition, the plaintiffs
failed to raise a triable issue of fact as to whether the fairway was negligently designed (*see Barbato
v Hollow Hills Country Club*, 14 AD3d 522, 523; *Veccia v Clearmeadow Pistol Club*, 300 AD2d
472).

CRANE, J.P., SPOLZINO, KRAUSMAN and GOLDSTEIN, JJ., concur.

ENTER:


James Edward Pelzer

January 16, 2007

VEZZA v SPRING ROCK GOLF CENTER, INC.

Clerk of the Court

January 16, 2007

VEZZA v SPRING ROCK GOLF CENTER, INC.