

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

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_____AD3d_____

Argued - October 22, 2007

STEPHEN G. CRANE, J.P.
GLORIA GOLDSTEIN
ANITA R. FLORIO
MARK C. DILLON, JJ.

2006-05665

DECISION & ORDER

Kemorley Scott, respondent, v State
of New York, appellant.

(Claim No. 111370)

Andrew M. Cuomo, Attorney General, Albany, N.Y. (Andrea Oser and Kathleen M.
Treasure of counsel), for appellant.

Appeal by the defendant from an order of the Court of Claims (Schweitzer, J.), dated
February 27, 2006.

ORDERED that the order is affirmed, without costs or disbursements, for reasons
stated by Judge Schweitzer in the Court of Claims (11 Misc 3d 1079[A]).

CRANE, J.P., GOLDSTEIN, FLORIO and DILLON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

December 11, 2007

SCOTT v STATE OF NEW YORK