

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

D19784
W/kmg

_____AD3d_____

Submitted - April 28, 2008

REINALDO E. RIVERA, J.P.
JOSEPH COVELLO
DANIEL D. ANGIOLILLO
WILLIAM E. McCARTHY, JJ.

2006-11181

DECISION & ORDER

Angela Williams, appellant, v Kalpesh
Amin, et al., respondents.

(Index No. 24830/04)

Angela Williams, Rockaway Park, N.Y., appellant pro se.

Nicolini, Paradise, Ferretti & Sabella, Mineola, N.Y. (John J. Nicolini of counsel), for
respondents.

In an action to recover damages for false arrest and malicious prosecution, the plaintiff
appeals from an order of the Supreme Court, Queens County (Satterfield, J.), entered November 2,
2006, which granted the defendants' motion for summary judgment dismissing the complaint.

ORDERED that the order is affirmed, with costs.

The Supreme Court properly granted the defendants' motion for summary judgment
dismissing the complaint, which asserted causes of action alleging false arrest and malicious
prosecution. The evidence demonstrated merely that the defendants contacted the police and signed
a criminal complaint against the plaintiff alleging harassment. "[A] civilian defendant who merely
furnishes information to law enforcement authorities who are then free to exercise their own
independent judgment as to whether an arrest will be made and criminal charges filed will not be held
liable for malicious prosecution" (*Lupski v County of Nassau*, 32 AD3d 997, 998) or false arrest
(*see Du Chateau v Metro-North Commuter R.R. Co.*, 253 AD2d 128,131). Since the plaintiff failed
to raise a triable issue of fact in opposition to the defendants' prima facie demonstration of

June 24, 2008

Page 1.

WILLIAMS v AMIN

entitlement to judgment as a matter of law, the defendants' motion was properly granted.

RIVERA, J.P., COVELLO, ANGIOLILLO and McCARTHY, JJ., concur.

ENTER:


James Edward Felger
Clerk of the Court