

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

D20456
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_____AD3d_____

Submitted - September 8, 2008

REINALDO E. RIVERA, J.P.
HOWARD MILLER
DANIEL D. ANGIOLILLO
CHERYL E. CHAMBERS, JJ.

2007-05189

DECISION & ORDER

Joseph Parente, etc., et al., appellants,
v Community Housing Innovations, Inc.,
respondent.

(Index No. 1030/05)

Gruenberg & Kelly, P.C., Ronkonkoma, N.Y. (Guy Gruenberg of counsel), for appellants.

Bonner Kiernan Trebach & Crociata, LLP, New York, N.Y. (Ewan M. Clark of counsel), for respondent.

In an action to recover damages for personal injuries, etc., the plaintiffs appeal from an order of the Supreme Court, Suffolk County (R. Doyle, J.), dated April 23, 2007, which granted the defendant's motion for summary judgment dismissing the complaint.

ORDERED that the order is affirmed, with costs.

In support of its motion for summary judgment dismissing the complaint, the defendant established its prima facie entitlement to judgment as a matter of law (*see Alvarez v Prospect Hosp.*, 68 NY2d 320, 324; *Zuckerman v City of New York*, 49 NY2d 557, 562-563). In opposition, the plaintiffs failed to raise a triable issue of fact. Accordingly, summary judgment was properly awarded to the defendant.

RIVERA, J.P., MILLER, ANGIOLILLO and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 25, 2008

PARENTE v COMMUNITY HOUSING INNOVATIONS, INC.