

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

D20661
G/kmg

_____AD3d_____

Submitted - September 9, 2008

ROBERT A. SPOLZINO, J.P.
DAVID S. RITTER
FRED T. SANTUCCI
EDWARD D. CARNI, JJ.

2007-05261

DECISION & ORDER

Linda M. Ysla, appellant, v City of New York,
et al., respondents.

(Index No. 15260/05)

Lefkowicz & Gottfried, LLP, New York, N.Y. (Eric J. Gottfried of counsel), for appellant.

Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Kristin M. Helmers and Ann E. Scherzer of counsel), for respondents.

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Flug, J.), entered May 22, 2007, which granted the defendants' motion for summary judgment dismissing the complaint.

ORDERED that the order is affirmed, with costs.

Under the particular circumstances of this case, the Supreme Court properly granted the defendants' motion for summary judgment dismissing the complaint (*see* CPLR 3212).

SPOLZINO, J.P., RITTER, SANTUCCI and CARNI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

January 20, 2009

YSLA v CITY OF NEW YORK