

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

D25534
G/kmg

_____AD3d_____

Submitted - November 5, 2009

WILLIAM F. MASTRO, J.P.
ARIEL E. BELEN
L. PRISCILLA HALL
LEONARD B. AUSTIN, JJ.

2009-00337

DECISION & ORDER

Harold Reape, appellant, v City of New York,
respondent.

(Index No. 4019/86)

Harold Reape, Brooklyn, N.Y., appellant pro se.

Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Barry P. Schwartz and
Julie Steiner of counsel), for respondent.

In an action to recover damages for medical malpractice, the plaintiff appeals from an order of the Supreme Court, Kings County (Kurtz, J.), dated November 14, 2008, which granted the defendant's motion to permanently enjoin him from enforcing a judgment of the same court (Clemente, J.), entered February 17, 1995, upon a jury verdict, and a judgment of the same court (S. Leone, J.), entered February 16, 1999, upon a jury verdict, on the ground that the judgments were unenforceable as having been reversed on appeal.

ORDERED that the order is affirmed, with costs.

The Supreme Court properly granted the defendant's motion to permanently enjoin the plaintiff from enforcing judgments entered in his favor on February 17, 1995, and February 16, 1999, respectively, which were reversed by this Court's decisions and orders in *Reape v City of New York* (228 AD2d 659), and *Reape v City of New York* (272 AD2d 533).

December 22, 2009

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REAPE v CITY OF NEW YORK

The plaintiff's remaining contentions are either without merit or not properly before this Court on this appeal.

MASTRO, J.P., BELEN, HALL and AUSTIN, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer
Clerk of the Court