

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

D32117  
W/prt

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - June 24, 2011

REINALDO E. RIVERA, J.P.  
JOSEPH COVELLO  
ANITA R. FLORIO  
PLUMMER E. LOTT, JJ.

2010-11625

DECISION & ORDER

Jon A. Gika, appellant, v Manchester Realty  
Associates, respondent, et al., defendant.

(Index No. 14956/08)

Weinstein, Kaplan & Cohen, P.C., Garden City, N.Y. (Robert N. Cohen of counsel),  
for appellant.

Smith & Laquercia, LLP, New York, N.Y. (Lana S. Kaganovsky of counsel), for  
respondent.

In an action to recover damages for personal injuries, the plaintiff appeals from an order of the Supreme Court, Queens County (Satterfield, J.), dated September 30, 2010, which granted the motion of the defendant Manchester Realty Associates for summary judgment dismissing the complaint insofar as asserted against it.

ORDERED that the order is affirmed, with costs.

The defendant Manchester Realty Associates (hereinafter Manchester) established, prima facie, its entitlement to judgment as a matter of law dismissing the complaint insofar as asserted against it. In opposition, the plaintiff failed to raise a triable issue of fact.

Accordingly, the Supreme Court properly granted Manchester's motion for summary

August 23, 2011

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judgment dismissing the complaint insofar as asserted against it (*see generally Alvarez v Prospect Hosp.*, 68 NY2d 320, 324).

RIVERA, J.P., COVELLO, FLORIO and LOTT, JJ., concur.

ENTER:

  
Matthew G. Kiernan  
Clerk of the Court