

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

718

CA 16-00504

PRESENT: SMITH, J.P., LINDLEY, DEJOSEPH, NEMOYER, AND CURRAN, JJ.

IN THE MATTER OF SHOPPINGTOWN MALL, LLC,
PETITIONER-APPELLANT,

V

ORDER

ASSESSOR, BOARD OF ASSESSORS AND BOARD OF
ASSESSMENT REVIEW OF TOWN OF DEWITT, AND TOWN OF
DEWITT, RESPONDENTS-RESPONDENTS.

JAMESVILLE DEWITT CENTRAL SCHOOL DISTRICT,
INTERVENOR-RESPONDENT.

CRONIN, CRONIN, HARRIS & O'BRIEN, P.C., UNIONDALE (RICHARD P. CRONIN
OF COUNSEL), FOR PETITIONER-APPELLANT.

CERIO LAW OFFICES, SYRACUSE (DAVID W. HERKALA OF COUNSEL), FOR
RESPONDENTS-RESPONDENTS.

BOND SCHOENECK & KING, PLLC, SYRACUSE (KATHLEEN M. BENNETT OF
COUNSEL), FOR INTERVENOR-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County
(Donald A. Greenwood, J.), entered December 4, 2015 in a proceeding
pursuant to RPTL article 7. The order granted the motion of
intervenor and the cross motion of respondents for summary judgment
dismissing the petition.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs for reasons stated in the decision
at Supreme Court (*see generally Matter of ELT Harriman, LLC v Assessor
of Town of Woodbury*, 128 AD3d 201, 207-211, lv denied 26 NY3d 918).

Entered: June 9, 2017

Frances E. Cafarell
Clerk of the Court