

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

870

CA 09-02112

PRESENT: SMITH, J.P., LINDLEY, SCONIERS, PINE, AND GORSKI, JJ.

MARK JOHNSON, ALSO KNOWN AS WILLIAM UTSEY,
CLAIMANT-APPELLANT,

V

ORDER

STATE OF NEW YORK, DEFENDANT-RESPONDENT.
(CLAIM NO. 105385.)

THE BERKMAN LAW OFFICE, LLC, BROOKLYN (DAVID TOLCHIN OF COUNSEL), FOR
CLAIMANT-APPELLANT.

ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (RAJIT S. DOSANJH OF
COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from an order of the Court of Claims (Philip J. Patti,
J.), entered December 9, 2008 in a personal injury action. The order
denied claimant's motion to vacate the dismissal of the claim.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs for reasons stated in the decision
at the Court of Claims.

Entered: June 11, 2010

Patricia L. Morgan
Clerk of the Court