

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

1618

CA 10-00267

PRESENT: MARTOCHE, J.P., FAHEY, CARNI, LINDLEY, AND SCONIERS, JJ.

HARRY J. BEACH AND SANDRA L. BEACH,
PLAINTIFFS-APPELLANTS,

V

ORDER

VILLAGE OF WOLCOTT, VILLAGE OF WOLCOTT
HIGHWAY DEPARTMENT, DEFENDANTS-RESPONDENTS,
ET AL., DEFENDANT.

SHANLEY LAW OFFICES, MEXICO (P. MICHAEL SHANLEY OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

PETRONE & PETRONE, P.C., UTICA (DAVID H. WALSH OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order and judgment (one paper) of the Supreme Court, Wayne County (John B. Nesbitt, A.J.), entered October 5, 2009. The order and judgment granted the motion of defendants Village of Wolcott and Village of Wolcott Highway Department for summary judgment and dismissed the complaint against them.

It is hereby ORDERED that the order and judgment so appealed from is unanimously affirmed without costs.

Entered: December 30, 2010

Patricia L. Morgan
Clerk of the Court