

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

754

CA 11-00207

PRESENT: SCUDDER, P.J., PERADOTTO, LINDLEY, GREEN, AND GORSKI, JJ.

JAMES M. ROBERTS, PLAINTIFF-RESPONDENT,

V

ORDER

ROBERT OUTHOUSE, SHERIFF OF COUNTY OF CAYUGA
AND COUNTY OF CAYUGA, A MUNICIPAL CORPORATION,
DEFENDANTS-APPELLANTS.

THE LAW FIRM OF FRANK W. MILLER, EAST SYRACUSE (FRANK W. MILLER OF
COUNSEL), FOR DEFENDANTS-APPELLANTS.

SUGARMAN LAW FIRM, LLP, SYRACUSE (AMY M. VANDERLYKE OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered December 6, 2010. The order, insofar as appealed from, denied the motion of defendants for summary judgment and to preclude plaintiff's expert testimony.

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

Entered: June 10, 2011

Patricia L. Morgan
Clerk of the Court