

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

**908**

**CA 08-01854**

PRESENT: CENTRA, J.P., PERADOTTO, GREEN, PINE, AND GORSKI, JJ.

---

HYDI TORRES, AS PARENT AND NATURAL GUARDIAN OF  
ALEXIS CRUZ, PLAINTIFF-RESPONDENT,

V

ORDER

LOCKPORT HOUSING AUTHORITY, DEFENDANT-APPELLANT.  
(APPEAL NO. 3.)

---

SLIWA & LANE, BUFFALO (MICHAEL T. COUTU OF COUNSEL), FOR  
DEFENDANT-APPELLANT.

NICHOLAS, PEROT, SMITH, BERNHARDT & ZOSH, P.C., AKRON (JASON R. JURON  
OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

---

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered August 26, 2008 in a personal injury action. The order denied the motion of defendant to set aside the jury verdict and to grant a new trial.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see generally *Anderson v House of Good Samaritan Hosp.*, 44 AD3d 135, 137).

Entered: June 5, 2009

Patricia L. Morgan  
Clerk of the Court