

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

1443

CA 09-00220

PRESENT: HURLBUTT, J.P., MARTOCHE, SMITH, CARNI, AND PINE, JJ.

IRIC BURTON, PLAINTIFF-APPELLANT,

V

ORDER

ADRIENNE Y. PORTER, DEFENDANT-RESPONDENT.

FRANK FALZONE, BUFFALO, FOR PLAINTIFF-APPELLANT.

HAGELIN KENT LLC, BUFFALO (VICTOR WRIGHT OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered April 1, 2008 in a personal injury action. The order, among other things, denied plaintiff's motion for permission to proceed as a poor person pursuant to CPLR 1101.

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

Entered: November 13, 2009

Patricia L. Morgan
Clerk of the Court