

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

1477

CA 09-00590

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

IN THE MATTER OF JOHN WALSH
AND AUDRA WALSH, PETITIONERS-RESPONDENTS,

V

ORDER

TOWN OF ALLEGANY, RESPONDENT-APPELLANT.
(PROCEEDING NO. 1.)

IN THE MATTER OF JOHN WALSH
AND AUDRA WALSH, PETITIONERS-RESPONDENTS,

V

ASSESSOR OF TOWN OF ALLEGANY
AND BOARD OF ASSESSMENT REVIEW, TOWN OF
ALLEGANY, RESPONDENTS-APPELLANTS.
(PROCEEDING NO. 2.)

WENDY A. TUTTLE, ALLEGANY, FOR RESPONDENTS-APPELLANTS.

LAW OFFICES OF J. MICHAEL SHANE, ALLEGANY (J. MICHAEL SHANE OF
COUNSEL), FOR PETITIONERS-RESPONDENTS.

Appeal from a judgment of the Supreme Court, Cattaraugus County (Larry M. Himelein, A.J.), entered December 9, 2008 in proceedings pursuant to CPLR article 78. The judgment, among other things, reduced the assessment on a parcel of real property owned by petitioners in the Town of Allegany.

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

Entered: December 30, 2009

Patricia L. Morgan
Clerk of the Court