

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

985

CA 11-00436

PRESENT: SMITH, J.P., CENTRA, CARNI, GREEN, AND MARTOCHE, JJ.

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JOSEPH M. MASTERPOL, PLAINTIFF-RESPONDENT,

V

ORDER

COUNTY OF ONONDAGA AND ONONDAGA COUNTY  
SHERIFF'S DEPARTMENT, DEFENDANTS-APPELLANTS.

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GORDON J. CUFFY, COUNTY ATTORNEY, SYRACUSE (MARY J. FAHEY OF COUNSEL),  
FOR DEFENDANTS-APPELLANTS.

KUEHNER LAW FIRM, PLLC, SYRACUSE (KEVIN P. KUEHNER OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Onondaga County  
(Deborah H. Karalunas, J.), entered November 18, 2010. The order  
denied the motion of defendants for summary judgment dismissing the  
complaint.

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

Entered: September 30, 2011

Patricia L. Morgan  
Clerk of the Court