

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

1279

CA 11-01339

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

PARTNERS TRUST BANK, FORMERLY KNOWN AS SBU BANK,
FORMERLY KNOWN AS SAVINGS BANK OF UTICA,
CLAIMANT-RESPONDENT,

V

ORDER

STATE OF NEW YORK, DEFENDANT-APPELLANT.
(CLAIM NO. 107502.)
(APPEAL NO. 1.)

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (OWEN DEMUTH OF
COUNSEL), FOR DEFENDANT-APPELLANT.

GILBERTI STINZIANO HEINTZ & SMITH, P.C., SYRACUSE (KEVIN G. ROE OF
COUNSEL), AND SIDNEY DEVORSETZ, PLLC, FOR CLAIMANT-RESPONDENT.

Appeal from a decision of the Court of Claims (Diane L. Fitzpatrick, J.), entered June 8, 2010. The decision awarded claimant money damages after a nonjury trial.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see *Kuhn v Kuhn*, 129 AD2d 967).

Entered: December 23, 2011

Frances E. Cafarell
Clerk of the Court