

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

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CA 11-02098

PRESENT: SMITH, J.P., FAHEY, PERADOTTO, SCONIERS, AND MARTOCHE, JJ.

PHILIP D. RUPERT, JR., PLAINTIFF-APPELLANT,

V

ORDER

GATES & ADAMS, P.C., DOUGLAS S. GATES,
DEFENDANTS-RESPONDENTS.
(APPEAL NO. 1.)

ALFRED P. KREMER, ROCHESTER, FOR PLAINTIFF-APPELLANT.

HISCOCK & BARCLAY, LLP, SYRACUSE (ROBERT A. BARRER OF COUNSEL), FOR
DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Monroe County (James P. Murphy, J.), entered July 20, 2011. The order, inter alia, granted the motion of defendants for leave to serve an amended answer.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see *Ciesinski v Town of Aurora*, 202 AD2d 984).

Entered: June 8, 2012

Frances E. Cafarell
Clerk of the Court