

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

1412

CA 12-00738

PRESENT: SCUDDER, P.J., CENTRA, FAHEY, CARNI, AND VALENTINO, JJ.

CAROL FOTI, PLAINTIFF-RESPONDENT,

V

ORDER

ROBERT ROMEYN NOFTSIER, JR., ALICE NOFTSIER,
DEFENDANTS-APPELLANTS,
ET AL., DEFENDANTS.

CAPONE LAW FIRM, LLP, WATERTOWN (ANDREW NICHOLAS CAPONE OF COUNSEL),
FOR DEFENDANTS-APPELLANTS.

CONBOY, MCKAY, BACHMAN & KENDALL, LLP, WATERTOWN (STEPHEN W. GEBBO OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Lewis County (Charles C. Merrell, A.J.), dated September 29, 2011. The order granted plaintiff an easement by necessity across the property of defendants Robert Romeyn Noftsier, Jr. and Alice Noftsier.

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

Entered: December 21, 2012

Frances E. Cafarell
Clerk of the Court