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This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 258 SSM 33
In the Matter of David H. Dalton,
II,
 Respondent,
 v.
Akron Central Schools,
 Appellant.

Submitted by Gregory A. Cascino, for appellant.
Submitted by John A. Collins, for respondent.

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On review of submissions pursuant to section 500.11 of the Rules,
order affirmed, with costs. The courts below did not abuse their
discretion in granting claimant's application to file and serve a
late notice of claim (see Williams v Nassau County Med. Ctr., 6
NY3d 531 [2006]). Chief Judge Lippman and Judges Graffeo, Read,
Smith, Pigott, Rivera and Abdus-Salaam concur.

Decided December 10, 2013