

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

M244641  
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JOHN M. LEVENTHAL, J.P.  
SYLVIA O. HINDS-RADIX  
HECTOR D. LASALLE  
VALERIE BRATHWAITE NELSON, JJ.

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2014-09249

DECISION & ORDER ON MOTION

Jerry L. Johnson, appellant,  
v State of New York, respondent.

(Claim No. 122611)

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Motion by the appellant, inter alia, to recall and vacate so much of a decision and order on motion of this Court dated June 9, 2017, as dismissed an appeal from an order of the Court of Claims dated April 24, 2014, for failure to timely perfect.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is denied.

LEVENTHAL, J.P., HINDS-RADIX, LASALLE and BRATHWAITE NELSON, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

January 23, 2018

JOHNSON v STATE OF NEW YORK