

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

790

CA 11-02594

PRESENT: SCUDDER, P.J., SMITH, FAHEY, LINDLEY, AND MARTOCHE, JJ.

TERRY CHECKSFIELD, PLAINTIFF-RESPONDENT,

V

ORDER

JOHN C. SIEDLICKI, SR., DEFENDANT-APPELLANT.

BARTH SULLIVAN BEHR, BUFFALO (SARAH P. RERA OF COUNSEL), FOR
DEFENDANT-APPELLANT.

KENNY & KENNY, PLLC, SYRACUSE (ERIN K. SKUCE OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered July 14, 2011. The order, insofar as appealed from, denied the motion of defendant to dismiss the complaint pursuant to CPLR 3126.

Now, upon reading and filing the stipulation of discontinuance of appeal signed by the attorneys for the parties on March 26, 2012,

It is hereby ORDERED that said appeal is unanimously dismissed without costs upon stipulation.

Entered: June 8, 2012

Frances E. Cafarell
Clerk of the Court