

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

1440

CA 14-00222

PRESENT: SCUDDER, P.J., CENTRA, CARNI, AND SCONIERS, JJ.

JASON RUPP, PLAINTIFF-APPELLANT,

V

ORDER

JEREMY BURGER, DEFENDANT-RESPONDENT.

KENNEY SHELTON LIPTAK NOWAK LLP, BUFFALO (JESSICA REICH OF COUNSEL),
FOR PLAINTIFF-APPELLANT.

HOGAN WILLIG, PLLC, AMHERST (GEOFFREY GISMONDI OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from a judgment (denominated order) of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered October 4, 2013. The judgment granted in part the motion of defendant for summary judgment, dismissed the complaint, determined defendant to be the fee-title owner of disputed real property and denied the cross motion of plaintiff for summary judgment.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: January 2, 2015

Frances E. Cafarell
Clerk of the Court