

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

883

CA 22-00013

PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, WINSLOW, AND BANNISTER, JJ.

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IN THE MATTER OF FORECLOSURE OF TAX LIENS  
BY PROCEEDING IN REM PURSUANT TO ARTICLE 11  
OF THE REAL PROPERTY TAX LAW BY COUNTY OF  
ONTARIO, PETITIONER-APPELLANT,

V

ORDER

JEFFREY D. GIBBS, RESPONDENT-RESPONDENT.

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JASON S. DIPONZIO, ROCHESTER, FOR PETITIONER-APPELLANT.

LAW FIRM OF AARON M. GAVENDA, ROCHESTER (AARON M. GAVENDA OF COUNSEL),  
FOR RESPONDENT-RESPONDENT.

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Appeal from an order of the Supreme Court, Ontario County  
(Charles A. Schiano, Jr., J.), entered May 27, 2021. The order, inter  
alia, vacated a default judgment of foreclosure.

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

Entered: November 18, 2022

Ann Dillon Flynn  
Clerk of the Court