

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

1044/21

CA 20-01217

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, AND GREENWOOD, JJ.

KRISTEN GELLMAN, PLAINTIFF-APPELLANT,

V

ORDER

CHARLES PRIORE, DEFENDANT-RESPONDENT.

JASON R. DIPASQUALE, BUFFALO, FOR PLAINTIFF-APPELLANT.

PAUL M. MICHALEK, JR., WEST SENECA, FOR DEFENDANT-RESPONDENT.

CATHERINE E. NAGEL, ORCHARD PARK, ATTORNEY FOR THE CHILD.

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered September 10, 2020. The order, among other things, directed that the subject child attend Bishop Timon-St. Jude High School.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on February 10, 2023,

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

Entered: March 24, 2023

Ann Dillon Flynn
Clerk of the Court