

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

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CA 22-01753

PRESENT: SMITH, J.P., LINDLEY, CURRAN, MONTOUR, AND OGDEN, JJ.

IN THE MATTER OF THE ESTATE OF RICHARD N.
PANELLA, DECEASED.

MEMORANDUM AND ORDER

NICOLE A. IVIE AND STEPHEN R. PANELLA,
PETITIONERS-APPELLANTS;

DEBORAH WHALEN PANELLA, RESPONDENT-RESPONDENT.
(APPEAL NO. 3.)

BYRNE, COSTELLO & PICKARD, P.C., SYRACUSE (JORDAN R. PAVLUS OF
COUNSEL), FOR PETITIONERS-APPELLANTS.

BARCLAY DAMON LLP, SYRACUSE (JON P. DEVENDORF OF COUNSEL), FOR
RESPONDENT-RESPONDENT.

Appeal from an amended order of the Surrogate's Court, Oneida
County (Louis P. Gigliotti, S.), entered October 11, 2022. The
amended order dismissed the petition.

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

Same memorandum as in *Matter of Estate of Panella* ([appeal No. 2]
- AD3d - [July 28, 2023] [4th Dept 2023]).

Entered: July 28, 2023

Ann Dillon Flynn
Clerk of the Court