

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

585

CA 23-00576

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

CHRISTOPHER HAMILL, PLAINTIFF-RESPONDENT,

V

MEMORANDUM AND ORDER

PHYLLIS HAMILL AND TRACEY DIEHL,
DEFENDANTS-APPELLANTS.
(APPEAL NO. 2.)

HAGERTY & BRADY, BUFFALO (DANIEL JOSEPH BRADY OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

RUPP PFALZGRAF LLC, BUFFALO (JAMES GRABER OF COUNSEL), FOR
PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Dennis E. Ward, J.), entered November 29, 2022. The order, inter alia, denied a motion to dismiss the complaint and for sanctions.

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

Same memorandum as in *Hamill v Hamill* ([appeal No. 1] – AD3d – [July 28, 2023] [4th Dept 2023]).

Entered: July 28, 2023

Ann Dillon Flynn
Clerk of the Court