

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

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**CA 23-01628**

PRESENT: LINDLEY, J.P., CURRAN, OGDEN, DELCONTE, AND KEANE, JJ.

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I.H., PLAINTIFF-APPELLANT,

V

ORDER

ERIE COUNTY, DEFENDANT-RESPONDENT,  
ET AL., DEFENDANTS.

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HERMAN LAW, NEW YORK CITY (STUART S. MERMELSTEIN OF COUNSEL), FOR  
PLAINTIFF-APPELLANT.

JEREMY C. TOTH, COUNTY ATTORNEY, BUFFALO (ERIC W. MARRIOTT OF  
COUNSEL), FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Daniel Furlong, J.), entered August 8, 2023. The order, among other things, granted the motion of defendant Erie County for summary judgment dismissing plaintiff's complaint.

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

Entered: April 25, 2025

Ann Dillon Flynn  
Clerk of the Court