

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

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CA 24-01298

PRESENT: CURRAN, J.P., BANNISTER, SMITH, OGDEN, AND DELCONTE, JJ.

JAMES R. CAPUTO, PLAINTIFF-APPELLANT,

V

ORDER

NATHAN HOLT, OWEN BILLET, PREMIUM MORTGAGE CORPORATION, DONALD CHENEY, ESQ., CHENEY LAW FIRM, PLLC, ABAR ABSTRACT CORPORATION, MONROE COUNTY CLERK'S OFFICE, DEFENDANTS-RESPONDENTS, ET AL., DEFENDANTS.

JAMES R. CAPUTO, PLAINTIFF-APPELLANT PRO SE.

D.J. & J.A. CIRANDO, PLLC, SYRACUSE (JOHN A. CIRANDO OF COUNSEL), FOR DEFENDANTS-RESPONDENTS NATHAN HOLT, OWEN BILLET, PREMIUM MORTGAGE CORPORATION AND ABAR ABSTRACT CORPORATION.

CHENEY LAW FIRM, PLLC, CANANDAIGUA (DAVID D. BENZ OF COUNSEL), FOR DEFENDANTS-RESPONDENTS DONALD CHENEY, ESQ., AND CHENEY LAW FIRM, PLLC.

MATTHEW SCHWARTZ, COUNTY ATTORNEY, ROCHESTER (ADAM M. CLARK OF COUNSEL), FOR DEFENDANT-RESPONDENT MONROE COUNTY CLERK'S OFFICE.

Appeal from an order of the Supreme Court, Monroe County (Vincent M. Dinolfo, J.), entered July 30, 2024. The order, inter alia, granted the motions of defendants Monroe County Clerk's Office, Donald Cheney, Esq., and Cheney Law Firm, LLC, to dismiss the complaint against them and granted the motion of defendants Nathan Holt, Owen Billet, Premium Mortgage Corporation and ABAR Abstract Corporation for summary judgment dismissing the complaint against them.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: February 11, 2026

Ann Dillon Flynn
Clerk of the Court