

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

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CA 25-00012

PRESENT: BANNISTER, J.P., MONTOUR, SMITH, NOWAK, AND DELCONTE, JJ.

SHERRY MCDONALD, CLAIMANT-APPELLANT,

V

MEMORANDUM AND ORDER

THE STATE OF NEW YORK, DEFENDANT-RESPONDENT.

(APPEAL NO. 2.)

(CLAIM NO. 136311.)

MICHAEL JOS. WITMER, ROCHESTER, FOR CLAIMANT-APPELLANT.

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (RACHEL RAIMONDI OF COUNSEL),
FOR DEFENDANT-RESPONDENT.

Appeal from a corrected judgment of the Court of Claims (J. Scott Odorisi, J.), entered July 30, 2024, in a claim for unjust conviction and imprisonment. The corrected judgment dismissed the claim.

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

Same memorandum as in *McDonald v State of New York* ([appeal No. 1] – AD3d – [Mar. 20, 2026] [4th Dept 2026]).

Entered: March 20, 2026

Ann Dillon Flynn
Clerk of the Court