

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

167

CA 25-00074

PRESENT: BANNISTER, J.P., MONTOUR, GREENWOOD, NOWAK, AND HANNAH, JJ.

JARROD W.S. AND MICHELLE A.S., AND
JARROD W.S. AND MICHELLE A.S.,
ON BEHALF OF THEIR INFANT CHILDREN, J.S.
AND O.S., PLAINTIFFS-APPELLANTS,

V

MEMORANDUM AND ORDER

JORDAN-ELBRIDGE CENTRAL SCHOOL DISTRICT,
ET AL., DEFENDANTS-RESPONDENTS.
(APPEAL NO. 2.)

SMITH PARRY, P.L.L.C., JORDAN (JARROD W. SMITH OF COUNSEL), FOR
PLAINTIFFS-APPELLANTS.

BOND, SCHOENECK & KING, PLLC, SYRACUSE (RICHARD L. WEBER OF COUNSEL),
FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Onondaga County
(Robert E. Antonacci, II, J.), entered January 8, 2025. The order
denied the motion of plaintiffs for leave to reargue, for leave to
serve a late notice of claim, and for recusal.

It is hereby ORDERED that said appeal from the order insofar as
it denied leave to reargue is unanimously dismissed and the order is
modified in the exercise of discretion by granting the motion in part
insofar as it sought leave to serve a late notice of claim with
respect to the claims asserted on behalf of J.S., deeming the notice
of claim with respect to those claims timely served nunc pro tunc, and
reinstating the amended complaint with respect to those claims, and as
modified the order is affirmed without costs.

Same memorandum as in *Jarrold W.S. v Jordan-Elbridge Cent. Sch.*
Dist. ([appeal No. 1] – AD3d – [May 1, 2026] [4th Dept 2026]).

Entered: May 1, 2026

Ann Dillon Flynn
Clerk of the Court