

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

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CA 20-01698

PRESENT: WHALEN, P.J., SMITH, CURRAN, AND BANNISTER, JJ.

KENNETH TRBOVICH, AS EXECUTOR OF THE ESTATE OF
NICHOLAS D. TRBOVICH, SR., DECEASED,
PLAINTIFF-APPELLANT,

V

ORDER

JOSEPH G. MAKOWSKI, DEFENDANT-RESPONDENT.

LEWANDOWSKI & ASSOCIATES, WEST SENECA (STEPHEN J. STACHOWSKI OF
COUNSEL), FOR PLAINTIFF-APPELLANT.

APRIL J. ORLOWSKI, PLLC, BUFFALO (APRIL J. ORLOWSKI OF COUNSEL), FOR
DEFENDANT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Mark A. Montour, J.), entered December 11, 2020. The order, among other things, granted the motion of defendant for leave to renew and reargue, and upon renewal and reargument, dismissed the action.

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

Entered: March 11, 2022

Ann Dillon Flynn
Clerk of the Court