

204 Columbia Hgts., LLC v Manheim

2016 NY Slip Op 32623(U)

February 23, 2016

Supreme Court, New York County

Docket Number: 161520/2013

Judge: Nancy M. Bannon

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This opinion is uncorrected and not selected for official publication.

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: Hon. Nancy M. Bannon
Justice

PART 42

204 COLUMBIA HEIGHTS, LLC
- v -
ANTHONY MANHEIM

INDEX NO. 161520/2013
MOTION DATE 1/14/16
MOTION SEQ. NO. 002

The following papers, numbered 1 to 3, were read the defendant's motion for leave to renew.

Table with 2 columns: Description of papers and No(s). Rows include Notice of Motion/Order to Show Cause, Answering Affirmation(s), and Replying Affirmation(s).

In this action for, inter alia, a judgment declaring the parties' rights and obligations under a lease and for permanent injunctive relief, this court, by an order dated October 21, 2014, denied the plaintiff's and defendant's respective motions for summary judgment and granted the defendant's motion to amend his answer.

The defendant failed to present any "new facts not offered on the prior motion that would change the prior determination" and a "reasonable justification for the failure to present such facts on the prior motion." CPLR 2221(e)(2), (3); see Luna v Port Authority of New York and New Jersey, 21 AD3d 324 (1st Dept 2005).

Accordingly, it is,

ORDERED that the motion is denied, and it is further

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):

ORDERED that the parties shall appear for a status conference on March 17, 2016 at 9:30 a.m., as previously scheduled.

This constitutes the Decision and Order of the court.

Dated: February 23, 2016

 JSC

HON. NANCY M. BANNON

- 1. Check one: CASE DISPOSED NON-FINAL DISPOSITION
- 2. Check as appropriate: MOTION IS: GRANTED DENIED GRANTED IN PART OTHER