

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

M88139  
E/cb

REINALDO E. RIVERA, J.P.  
MARK C. DILLON  
JOHN M. LEVENTHAL  
CHERYL E. CHAMBERS, JJ.

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2008-03308

DECISION & ORDER ON MOTION

Hank Bayer, appellant, v City of New York,  
et al., respondents.

(Index No. 29747/04)

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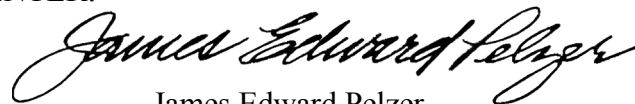
Motion by the appellant for leave to appeal to the Court of Appeals from a decision and order of this court dated March 10, 2009, which determined an appeal from an order of the Supreme Court, Kings County, dated February 21, 2008.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied.

RIVERA, J.P., DILLON, LEVENTHAL and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

June 17, 2009

BAYER v CITY OF NEW YORK