

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

M91209  
E/sl

MARK C. DILLON, J.P.  
FRED T. SANTUCCI  
THOMAS A. DICKERSON  
CHERYL E. CHAMBERS, JJ.

---

2007-08819

DECISION & ORDER ON MOTION

Jeffrey Chiara, appellant, v Town of  
New Castle, et al., respondents.

(Index No. 05-477)

---

Motion by the appellant for leave to appeal to the Court of Appeals from a decision and order of this court dated April 28, 2009, which determined an appeal from an order of the Supreme Court, Westchester County, entered August 16, 2007.

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

ORDERED that the motion is denied.

DILLON, J.P., SANTUCCI, DICKERSON and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 25, 2009

CHIARA v TOWN OF NEW CASTLE