

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

71

**CA 07-01836**

PRESENT: SMITH, J.P., CENTRA, PERADOTTO, AND GORSKI, JJ.

---

IN THE MATTER OF DANIEL JONES,  
PETITIONER-APPELLANT,

V

ORDER

CITY OF BUFFALO, RESPONDENT-RESPONDENT.

---

DANIEL JONES, PETITIONER-APPELLANT PRO SE.

ALISA A. LUKASIEWICZ, CORPORATION COUNSEL, BUFFALO (CARMEN J. GENTILE  
OF COUNSEL), FOR RESPONDENT-RESPONDENT.

---

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), entered August 10, 2007 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

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

Entered: February 6, 2009

JoAnn M. Wahl  
Clerk of the Court