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

## 1130

## CA 09-00586

PRESENT: HURLBUTT, J.P., FAHEY, PERADOTTO, GREEN, AND PINE, JJ.

IN THE MATTER OF DAVID HALL, CLAIMANT-RESPONDENT,

V ORDER

MADISON-ONEIDA COUNTY BOARD OF COOPERATIVE EDUCATIONAL SERVICES, ALSO KNOWN AS MADISON-ONEIDA COUNTY BOCES, RESPONDENT-APPELLANT. (APPEAL NO. 2.)

SUGARMAN LAW FIRM, LLP, SYRACUSE (REBECCA A. CRANCE OF COUNSEL), FOR RESPONDENT-APPELLANT.

R. ROBERT SOSSEN, JR., UTICA, FOR CLAIMANT-RESPONDENT.

Appeal from an amended order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered July 1, 2008. The amended order granted claimant's application for leave to serve a late notice of claim.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see Moody v Sorokina, 56 AD3d 1246, 1247).

Entered: October 2, 2009 Patricia L. Morgan Clerk of the Court