

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

1243

CA 08-02299

PRESENT: SCUDDER, P.J., HURLBUTT, GREEN, PINE, AND GORSKI, JJ.

DR. JOHN CHONG-HWAN WEE, PLAINTIFF-APPELLANT,

V

MEMORANDUM AND ORDER

UNITED MEMORIAL MEDICAL CENTER, BARBARA HANCOCK,
STEVEN BUFFA, LORI GOERGEN AND ROSANN LOWDER,
DEFENDANTS-RESPONDENTS.

JOHN CHONG-HWAN WEE, PLAINTIFF-APPELLANT PRO SE.

RICOTTA & VISCO, ATTORNEYS & COUNSELORS AT LAW, BUFFALO (JOHN VISCO OF
COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Genesee County (Mark H. Dadd, A.J.), entered August 18, 2008. The order, insofar as appealed from, denied plaintiff's motion for leave to reconsider and to settle the record on appeal.

It is hereby ORDERED that said appeal from the order insofar as it denied leave to reconsider is unanimously dismissed and the order is otherwise affirmed without costs.

Memorandum: Because "[n]o appeal lies from that part of the order denying [plaintiff's] motion insofar as it sought leave to . . . reconsider" (*B.M.H. Mgt., Inc. v 81 & 3 of Watertown, Inc.*, 16 AD3d 1074, 1074, lv denied 5 NY3d 746; see *Hutchings v Hutchings*, 155 AD2d 973), we dismiss that part of the appeal challenging the denial of plaintiff's motion seeking leave to reconsider an earlier order. We otherwise affirm.

Entered: November 13, 2009

Patricia L. Morgan
Clerk of the Court