

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

1265

CA 08-02292

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, CARNI, AND GORSKI, JJ.

DALE J. MORRIS, INDIVIDUALLY AND AS PARENT AND
NATURAL GUARDIAN OF STEPHANIE MORRIS, AN INFANT,
CLAIMANT-APPELLANT,

V

ORDER

STATE OF NEW YORK, DEFENDANT-RESPONDENT.
(CLAIM NO. 106569.)

HURWITZ & FINE, P.C., BUFFALO (V. CHRISTOPHER POTENZA OF COUNSEL), AND
BURDEN, GULISANO & HICKEY, LLC, FOR CLAIMANT-APPELLANT.

WILSON, ELSEER, MOSKOWITZ, EDELMAN & DICKER LLP, ALBANY (BENJAMIN F.
NEIDL COUNSEL), FOR DEFENDANT-RESPONDENT.

Appeal from a judgment of the Court of Claims (Jeremiah J.
Moriarty, III, J.), entered October 9, 2008 in a personal injury
action. The judgment dismissed the claim after a trial on liability.

It is hereby ORDERED that the judgment so appealed from is
unanimously affirmed without costs for reasons stated in the decision
at the Court of Claims.

Entered: November 13, 2009

Patricia L. Morgan
Clerk of the Court