

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

1266

CA 09-00795

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

DARRELL WESSELDINE, PLAINTIFF-APPELLANT,

V

ORDER

COUNTY OF ONEIDA, DEFENDANT-RESPONDENT.

MICHELE E. DETRAGLIA, UTICA, FOR PLAINTIFF-APPELLANT.

DAVID R. DIODATI, NEW HARTFORD, FOR DEFENDANT-RESPONDENT.

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered September 18, 2008 in a personal injury action. The judgment dismissed the complaint.

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

Entered: November 13, 2009

Patricia L. Morgan
Clerk of the Court