

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

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CA 09-00897

PRESENT: SCUDDER, P.J., SMITH, PERADOTTO, LINDLEY, AND SCONIERS, JJ.

IN THE MATTER OF CITY OF ROME,
PETITIONER-RESPONDENT,

V

ORDER

RAILROAD PROPERTY DEVELOPMENT CORP.,
RESPONDENT-APPELLANT.

ABBIE GOLDBAS, UTICA, FOR RESPONDENT-APPELLANT.

DIANE M. MARTIN-GRANDE, CORPORATION COUNSEL, ROME, FOR
PETITIONER-RESPONDENT.

Appeal from an order of the Supreme Court, Oneida County (Anthony F. Shaheen, J.), entered April 13, 2009. The order granted petitioner's application for an administrative search warrant.

Now, upon reading and filing the stipulation of discontinuance signed by the attorneys for the parties on April 6 and 19, 2010, and by Stephanie Eisenberg for respondent on April 8, 2010,

It is hereby ORDERED that said appeal is unanimously dismissed without costs upon stipulation.

Entered: April 30, 2010

Patricia L. Morgan
Clerk of the Court