

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

1013

CA 10-00583

PRESENT: SMITH, J.P., CARNI, LINDLEY, SCONIERS, AND PINE, JJ.

IN THE MATTER OF SYRACUSE INDUSTRIAL
DEVELOPMENT AGENCY, JAMES SYRACUSE LLC,
AS LESSEE (1045 JAMES STREET),
PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

JOHN C. GAMAGE, ASSESSOR, CITY OF SYRACUSE,
AND CITY OF SYRACUSE, RESPONDENTS-APPELLANTS.
(APPEAL NO. 2.)

JUANITA PEREZ WILLIAMS, CORPORATION COUNSEL, SYRACUSE (JOSEPH FRANCIS
BERGH OF COUNSEL), FOR RESPONDENTS-APPELLANTS.

GILBERTI STINZIANO HEINTZ & SMITH, P.C., SYRACUSE (JON E. COOPER OF
COUNSEL), FOR PETITIONER-RESPONDENT.

Appeal from an order of the Supreme Court, Onondaga County
(Donald A. Greenwood, J.), entered May 12, 2009. The order denied the
motion of respondents to dismiss the tax certiorari petition.

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

Same Memorandum as in *Matter of Syracuse Indus. Dev. Agency v*
Gamage ([appeal No. 1] ____ AD3d ____ [Oct. 1, 2010]).

Entered: October 1, 2010

Patricia L. Morgan
Clerk of the Court