

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

1286

CA 10-00586

PRESENT: SMITH, J.P., PERADOTTO, CARNI, SCONIERS, AND GORSKI, JJ.

IN THE MATTER OF LEONID G. GARTH,
PETITIONER-APPELLANT,

V

ORDER

LISA BENET, ASSESSOR, RICHMOND BOARD OF
ASSESSMENT REVIEW AND TOWN OF RICHMOND,
RESPONDENTS-RESPONDENTS.

SEAN T. HANNA, WEBSTER, FOR PETITIONER-APPELLANT.

JONES & MORRIS, VICTOR (MATTHEW A. MOTIWALA OF COUNSEL), FOR
RESPONDENTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Ontario County
(William F. Kocher, A.J.), entered June 12, 2009 in a proceeding
pursuant to RPTL article 7. The order, insofar as appealed from,
denied the motion of petitioner for summary judgment.

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

Entered: November 12, 2010

Patricia L. Morgan
Clerk of the Court