

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

426

CA 10-02008

PRESENT: SMITH, J.P., FAHEY, PERADOTTO, LINDLEY, AND MARTOCHE, JJ.

JAMES MAGUIRE, PLAINTIFF-RESPONDENT,

V

ORDER

TOWN OF CHEEKTOWAGA, DEFENDANT-APPELLANT.

CHELUS, HERDZIK, SPEYER & MONTE, P.C., BUFFALO (ARTHUR A. HERDZIK OF COUNSEL), FOR DEFENDANT-APPELLANT.

BOUVIER PARTNERSHIP, LLP, BUFFALO (NORMAN E.S. GREENE OF COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an amended order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered August 4, 2010. The amended order, insofar as appealed from, granted the cross motion of plaintiff for leave to serve an amended complaint asserting a cause of action pursuant to 42 USC § 1983 and adding John/Jane Doe as a defendant.

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

Entered: April 1, 2011

Patricia L. Morgan
Clerk of the Court