

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

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CA 10-01697

PRESENT: SCUDDER, P.J., SMITH, CARNI, LINDLEY, AND MARTOCHE, JJ.

IN THE MATTER OF THE ESTATE OF MURIEL H.
ALBRIGHT, DECEASED.

MEMORANDUM AND ORDER

MICHAEL ALBRIGHT, AS EXECUTOR OF THE ESTATE
OF MURIEL H. ALBRIGHT, DECEASED,
PETITIONER-APPELLANT,
ERVINA MALIN AND TAYLOR D. MALIN,
RESPONDENTS-RESPONDENTS.
(APPEAL NO. 1.)

PANZARELLA & COIA, P.C., ROCHESTER (CHAD M. HUMMEL OF COUNSEL), FOR
PETITIONER-APPELLANT.

MELVIN BRESSLER, ROCHESTER, FOR RESPONDENTS-RESPONDENTS.

Appeal from an order of the Surrogate's Court, Monroe County
(Edmund A. Calvaruso, S.), entered October 6, 2009. The order
directed Michael Albright, as executor of the estate of Muriel H.
Albright, deceased, to deliver title and possession of a certain motor
vehicle to Taylor D. Malin.

It is hereby ORDERED that said appeal is unanimously dismissed
with costs.

Same Memorandum as in *Matter of Albright* ([appeal No. 2] ____ AD3d
____ [Sept. 30, 2011]).

Entered: September 30, 2011

Patricia L. Morgan
Clerk of the Court