

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

**962**

**CA 11-00570**

PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, GORSKI, AND MARTOCHE, JJ.

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KELVIN SEAWRIGHT, PLAINTIFF-RESPONDENT,

V

ORDER

OMAR M. CROOKS AND JOE A. RAMBO, JR.,  
DEFENDANTS-APPELLANTS.  
(APPEAL NO. 2.)

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

CELLINO & BARNES, P.C., ROCHESTER (RICHARD P. AMICO OF COUNSEL), FOR  
PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered September 22, 2010 in a personal injury action. The order, insofar as appealed from, denied the motion of defendants to set aside the verdict and granted the motion of plaintiff for a structured judgment.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see *Smith v Catholic Med. Ctr. of Brooklyn & Queens*, 155 AD2d 435; see also CPLR 5501 [a] [1], [2]).

Entered: September 30, 2011

Patricia L. Morgan  
Clerk of the Court