

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

1100

**CA 11-00363**

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

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IN THE MATTER OF THE APPLICATION OF CITY OF  
ROCHESTER FOR AN "INSPECTION WARRANT" TO INSPECT  
187 CLIFTON STREET, CITY OF ROCHESTER, COUNTY OF  
MONROE, STATE OF NEW YORK.

----- MEMORANDUM AND ORDER  
FLORINE NELSON AND WALTER NELSON, APPELLANTS,

V

CITY OF ROCHESTER, RESPONDENT.  
(APPEAL NO. 2.)

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DAVIDSON FINK LLP, ROCHESTER (MICHAEL A. BURGER OF COUNSEL), FOR  
APPELLANTS.

JEFFREY EICHNER, ACTING CORPORATION COUNSEL, ROCHESTER (IGOR SHUKOFF  
OF COUNSEL), FOR RESPONDENT.

DIBBLE & MILLER, P.C., ROCHESTER (CRAIG D. CHARTIER OF COUNSEL), FOR  
NEW YORK STATE COALITION OF PROPERTY OWNERS & BUSINESSES, INC., AMICUS  
CURIAE.

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Appeal from an order of the Supreme Court, Monroe County (Thomas  
A. Stander, J.), entered February 18, 2011. The order authorized the  
inspection of certain real property.

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

Same Memorandum as in *Matter of City of Rochester (Cermak)*  
([appeal No. 1] \_\_\_\_ AD3d \_\_\_\_ [Dec. 23, 2011]).

Entered: December 23, 2011

Frances E. Cafarell  
Clerk of the Court