

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

**1294**

**CA 11-01374**

PRESENT: CENTRA, J.P., PERADOTTO, CARNI, LINDLEY, AND SCONIERS, JJ.

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RAY ROBINSON, INDIVIDUALLY AND AS PARENT AND  
NATURAL GUARDIAN OF RAYSHAWN ROBINSON,  
PLAINTIFF-APPELLANT,

V

ORDER

RODNEY JOHNSON, JR., DEFENDANT-RESPONDENT.

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ANDREWS, BERNSTEIN & MARANTO, LLP, BUFFALO (ANDREW J. CONNELLY OF  
COUNSEL), FOR PLAINTIFF-APPELLANT.

THOMAS P. DURKIN, ROCHESTER, FOR DEFENDANT-RESPONDENT.

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Appeal from an order of the Supreme Court, Erie County (Kevin M. Dillon, J.), entered October 8, 2010 in a personal injury action. The order granted defendant's motion for summary judgment dismissing plaintiff's complaint.

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

Entered: December 23, 2011

Frances E. Cafarell  
Clerk of the Court