

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

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CA 11-02459

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

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IN THE MATTER OF THE ESTATE OF HELEN WERNER,  
DECEASED.

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JAMES CONNIFF, PETITIONER-RESPONDENT;

ORDER

EDWARD DUDEK, OBJECTANT-APPELLANT.

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SAKOWSKI & MARKELLO, LLP, ELMA (JOSEPH A. SAKOWSKI OF COUNSEL), FOR  
OBJECTANT-APPELLANT.

MISKELL & MOXHAM, LOCKPORT, PETER J. BREVORKA, P.C., AMHERST (PETER J.  
BREVORKA OF COUNSEL), FOR PETITIONER-RESPONDENT.

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Appeal from an order of the Surrogate's Court, Erie County  
(Barbara Howe, S.), entered July 6, 2011. The order granted the  
motion of petitioner for summary judgment, dismissed the objections to  
probate and directed that the last will and testament of decedent,  
dated July 2, 2009, be admitted to probate.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs for reasons stated in the decision  
by the Surrogate.

Entered: June 8, 2012

Frances E. Cafarell  
Clerk of the Court