
This memorandum is uncorrected and subject to revision before publication in the New York Reports.

No. 183 SSM 13
Richard Rivera, et al.,
 Appellants,
 v.
Fernandez & Ulloa Auto Group, et
al.,
 Respondents.

Submitted by Judah Z. Cohen, for appellants.
Submitted by Colin F. Morrissey, for respondents.
New York State Trial Lawyers Association, amicus
curiae.

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On review of submissions pursuant to section 500.11 of the Rules, order affirmed, with costs. The Appellate Division correctly concluded that plaintiff failed to raise a triable issue of fact as to whether he suffered a serious injury within the meaning of Insurance Law § 5012(d) as a result of the underlying motor vehicle accident. Chief Judge Lippman and Judges Pigott, Rivera, Abdus-Salaam, Stein and Fahey concur.

Decided August 27, 2015