

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

1383

CA 07-02712

PRESENT: SCUDDER, P.J., HURLBUTT, FAHEY, PERADOTTO, AND PINE, JJ.

IN THE MATTER OF FRANK KOGUT AND DEBRA KOGUT,
PETITIONERS-APPELLANTS,

V

ORDER

TOWN OF MARTINSBURG, RESPONDENT-RESPONDENT.

GOLDBERG SEGALLA LLP, SYRACUSE (MATTHEW S. LERNER OF COUNSEL), FOR
PETITIONERS-APPELLANTS.

THE AYERS LAW FIRM, PLLC, PALATINE BRIDGE (LAURA E. AYERS OF COUNSEL),
FOR RESPONDENT-RESPONDENT.

Appeal from a judgment (denominated order) of the Supreme Court,
Lewis County (Joseph D. McGuire, J.), entered October 4, 2007 in a
proceeding pursuant to CPLR article 78. The judgment dismissed the
petition.

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

Entered: November 14, 2008

JoAnn M. Wahl
Clerk of the Court