

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department

Decided and Entered: April 20, 2017

523303

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PAVEL KOMANICKY,

Appellant,

v

MEMORANDUM AND ORDER

MICHAEL FREE,

Defendant,

and

WALTER R. ROJAS et al.,

Respondents.

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Calendar Date: February 23, 2017

Before: Peters, P.J., McCarthy, Garry, Rose and Aarons, JJ.

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Catherine E. Stuckart, Binghamton, for appellant.

O'Connor, O'Connor, Bresee & First, PC, Albany (Steven Auletta of counsel), for Walter R. Rojas, respondent.

Hinman, Howard & Kattell, LLP, Binghamton (Leslie P. Guy of counsel), for R. Barden and others, respondents.

Eric T. Schneiderman, Attorney General, Albany (Julie M. Sheridan of counsel), for Meg White, respondent.

Levene Gouldin & Thompson, LLP, Vestal (Justin L. Salkin of counsel), for Armando B. Mata, respondent.

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Aarons, J.

Appeal from an order of the Supreme Court (Lebous, J.), entered September 3, 2015 in Broome County, which, among other things, granted defendants' motions to dismiss the complaint.

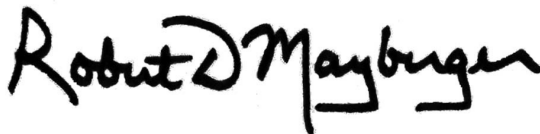
Plaintiff commenced this medical malpractice action against defendants stemming from alleged negligent treatment rendered in February 2012. Defendants subsequently moved via separate pre-answer motions seeking dismissal of the complaint based upon lack of personal jurisdiction, among other things. Supreme Court granted the motions, prompting this appeal by plaintiff.

For the reasons stated in Komanicky v Contractor (146 AD3d 1042 [2017]) related to personal jurisdiction, we affirm. In light of this determination, it is unnecessary for us to address the additional grounds raised by defendants for dismissal.

Peters, P.J., McCarthy, Garry and Rose, JJ., concur.

ORDERED that the order is affirmed, with one bill of costs.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger  
Clerk of the Court