

# **Bond Case Briefs**

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## **DISABILITY - NEW YORK**

### **Heinichen v. Kelly**

**Supreme Court, Appellate Division, First Department, New York - May 6, 2014 - N.Y.S.2d - 2014 N.Y. Slip Op. 03203**

Police officer commenced Article 78 proceeding challenging denial of his application for accident disability retirement benefits. The Supreme Court, New York County, denied petition, and officer appealed.

The Supreme Court, Appellate Division, held that officer's injury to his thumb while forcibly attempting to close stuck drawer was foreseeable and intended result of his own conduct, rather than accident, and thus did not entitle officer to accident disability retirement benefits.