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Lepore v. Town of Greenburgh

Supreme Court, Appellate Division, Second Department, New York - September 10, 2014 - N.Y.S.2d - 2014 N.Y. Slip Op. 06063

Plaintiffs brought action against town and police officers to recover damages for civil rights violations pursuant to § 1983. The Supreme Court, Westchester County, denied defendants' motions for summary judgment and to dismiss the complaint. Defendants appealed.

The Supreme Court, Appellate Division, held that:

- Town was entitled to summary judgment on plaintiffs' cause of action seeking to impose liability on town pursuant to § 1983 solely for the actions of police officer, and
- Trial court erred in denying town's motion to dismiss complaint insofar as asserted against John Doe officers.