

Bond Case Briefs

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LIABILITY - NEW YORK

Lyles v. New York City Health and Hospitals Corp.

Supreme Court, Appellate Division, Second Department, New York - October 1, 2014 - N.Y.S.2d - 2014 N.Y. Slip Op. 06561

Infant brought personal injury action against city health and hospitals corporation. The Supreme Court, Queens County, denied infant's motion for leave to serve late notice of claim or to deem late notice timely served nunc pro tunc. Infant appealed.

The Supreme Court, Appellate Division, held that:

- Infant's mother did not provide reasonable excuse for failing to timely serve the notice of claim;
- Nexus between plaintiff's infancy and delays in serving notice was not shown; and
- Motion to renew was properly denied.