

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
FOURTH JUDICIAL DEPARTMENT

Killeen v. County of Monroe

2025 NY Slip Op 07142 (N.Y. Ct. App. 2025) · No. 818 CA 24-00789 · Decided December 23, 2025

SUMMARY

The Appellate Division, Fourth Department, unanimously affirmed an order denying the County of Monroe's motion to dismiss the plaintiff's first and seventh causes of action. The action arose under the Adult Survivors Act, and the court's decision adopted the reasoning of a memorandum in Wade v County of Monroe.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Fourth Judicial Department
WRITING FOR THE COURT	Montour, J.P.; Smith, J.; Greenwood, J.; Nowak, J.; Keane, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Fourth Judicial Department
DECIDED	December 23, 2025
DOCKET	818 CA 24-00789
DISPOSITION	affirmed
PROCEDURAL POSTURE	County of Monroe appealed from an order of the Supreme Court, Monroe County, denying defendants' motion to dismiss plaintiff's first and seventh causes of action against the County in an action brought under the Adult Survivors Act.
PRECEDENTIAL VALUE	Published
PARTIES	County of Monroe v. Denise Killeen

TOPICS

- motions to dismiss
- appellate procedure
- civil procedure
- municipal law

PRACTICE AREAS

- Civil procedure
- Municipal law
- Appellate procedure

QUESTIONS PRESENTED

1. Whether the Supreme Court properly denied the County of Monroe's motion to dismiss plaintiff's first and seventh causes of action under the Adult Survivors Act.

HOLDINGS

1. The order denying the County of Monroe's motion to dismiss the first and seventh causes of action was affirmed insofar as appealed from.

KEY QUOTATIONS

“It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.” ([*1])

FACTUAL BACKGROUND

Denise Killeen brought an action pursuant to the Adult Survivors Act against the County of Monroe and other defendants. The County moved to dismiss the first and seventh causes of action asserted against it. The Supreme Court, Monroe County, denied that portion of the motion, and the County appealed.

PROCEDURAL HISTORY

The Supreme Court, Monroe County, entered an order on April 19, 2024, denying in part defendants' motion to dismiss. The Appellate Division, Fourth Department, unanimously affirmed the order insofar as appealed from, without costs.

DISPOSITION

affirmed

CASES CITED

- Wade v. County of Monroe ([appeal No. 1] — AD3d — [Dec. 23, 2025] [4th Dept 2025])