

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

Jarrold W.S. v. Jordan-Elbridge Cent. Sch. Dist.

2026 NY Slip Op 02746 (Supreme Court of the State of New York Appellate Division Fourth Judicial
Department 2026) · No. 167 CA 25-00074 · Decided May 1, 2026

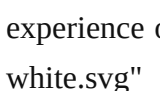
OPINION

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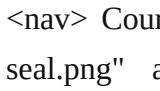
PER CURIAM.

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Appellate Division, Fourth Department

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JARROLD W.S. AND MICHELLE A.S., AND JARROLD W.S. AND MICHELLE A.S., ON BEHALF OF THEIR INFANT CHILDREN, J.S. AND O.S., PLAINTIFFS-APPELLANTS,

v

JORDAN-ELBRIDGE CENTRAL SCHOOL DISTRICT, ET AL., DEFENDANTS-RESPONDENTS. (APPEAL NO. 2.)

Supreme Court of the State of New York, Appellate Division, Fourth Judicial Department

Decided on May 1, 2026

167 CA 25-00074

Present: Bannister, J.P., Montour, Greenwood, Nowak, And Hannah, JJ.

SMITH PARRY, P.L.L.C., JORDAN (JARROLD W. SMITH OF COUNSEL), FOR PLAINTIFFS-APPELLANTS.

BOND, SCHOENECK & KING, PLLC, SYRACUSE (RICHARD L. WEBER OF COUNSEL), FOR DEFENDANTS-RESPONDENTS.

Appeal from an order of the Supreme Court, Onondaga County (Robert E. Antonacci, II, J.), entered January 8, 2025. The order denied the motion of plaintiffs for leave to reargue, for leave to serve a late notice of claim, and for recusal.

[*1]

It is hereby ORDERED that said appeal from the order insofar as it denied leave to reargue is unanimously dismissed and the order is modified in the exercise of discretion by granting the motion in part insofar as it sought leave to serve a late notice of claim with respect to the claims asserted on behalf of J.S., deeming the notice of claim with respect to those claims timely served

nunc pro tunc, and reinstating the amended complaint with respect to those claims, and as modified the order is affirmed without costs.

Same memorandum as in *Jarrold W.S. v Jordan-Elbridge Cent. Sch. Dist.* ([appeal No. 1] — AD3d — [May 1, 2026] [4th Dept 2026]).

Entered: May 1, 2026

Ann Dillon Flynn

Clerk of the Court

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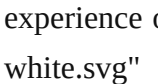
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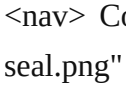
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unanimously dismissed and the order is modified in the exercise of discretion by granting the motion in part insofar as it sought leave to serve a late notice of claim with respect to the claims asserted on behalf of J.S., deeming the notice of claim with respect to those claims timely served nunc pro tunc, and reinstating the amended complaint with respect to those claims, and as modified the order is affirmed without costs.

Same memorandum as in *Jarrold W.S. v Jordan-Elbridge Cent. Sch. Dist.* ([appeal No. 1] — AD3d — [May 1, 2026] [4th Dept 2026]).

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and as modified the order is affirmed without costs. Same memorandum as in Jarrod W.S. v Jordan-Elbridge Cent. Sch. Dist. ([appeal No. 1] — AD3d — [May 1, 2026] [4th Dept 2026]). Entered: May 1, 2026 Ann Dillon Flynn Clerk of the Court Court Decisions All Court Decisions Official Reports Service Bound Volumes Decision Search Resources RSS Feeds Style Manual Citation Tools Opinion Formatting & Privacy Guidelines Opinion Selection Criteria Legal Research Portal Site Index About About the Law Reporting Bureau About our Operations Contact Us Twitter Quick Contact Info 17 Lodge Street Albany, NY 12207 Phone: (518) 453-6900 Links to or from other sites do not signify endorsement or relationship with them.

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