

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

Sampson v. Perez

2026 NY Slip Op 03734 (N.Y. Ct. App. 2026) · No. 2025-03452 · Decided June 11, 2026

OPINION

Sampson v. Perez 2026 NY Slip Op 03734

PER CURIAM.

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the accident (see *Nero v Ris Paper Co.* , 60 AD2d 340, 347 [1st Dept 1978], *affd* 46 NY2d 967 [1979]; *Matos v Depalma Enters.* , 160 AD2d 1163, 1164 [3d Dept 1990]). Moreover, photographs of Perez's car at the time of the accident showing a dome light and displaying a parking placard do not raise an issue of fact as to whether he was acting within the scope of his employment. Neither the dome light nor the placard were provided by San Mateo or required to be used by its employees while on the job. Further, Perez stated that although he sometimes used both the light and placard while working, on this occasion he simply forgot to remove them when he began to drive home. We have considered plaintiff's remaining arguments and find them unavailing. THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT. ENTERED: June 11, 2026

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