

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

**Matter of Curry-Malcolm v. New York State Teachers' Retirement
System**

Matter of Curry-Malcolm v. New York State Teachers' Retirement Sys., 2022 NY Slip Op 00761 (N.Y. Ct. App. 2022) · No. 45 CA 21-00771 · Decided February 4, 2022

OPINION

PER CURIAM.

Matter of Curry-Malcolm v New York State Teachers' Retirement Sys. (2022 NY Slip Op 00761)
Matter of Curry-Malcolm v New York State Teachers' Retirement Sys. 2022 NY Slip Op 00761
Decided on February 4, 2022 Appellate Division, Fourth Department Published by New York
State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and
subject to revision before publication in the Official Reports.

Decided on February 4, 2022 SUPREME COURT OF THE STATE OF NEW YORK Appellate
Division, Fourth Judicial Department PRESENT: CENTRA, J.P., NEMOYER, CURRAN, AND
BANNISTER, JJ. 45 CA 21-00771 [*1]IN THE MATTER OF BERNICE CURRY-MALCOLM,
PETITIONER-APPELLANT, vNEW YORK STATE TEACHERS' RETIREMENT SYSTEM,
RESPONDENT-RESPONDENT, ET AL., RESPONDENTS. (APPEAL NO. 2.) BERNICE
CURRY-MALCOLM, PETITIONER-APPELLANT PRO SE.

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (DUSTIN J. BROCKNER OF
COUNSEL), FOR RESPONDENT-RESPONDENT. Appeal from a judgment (denominated order
and judgment) of the Supreme Court, Monroe County (Gail Donofrio, J.), entered December 8,
2020 in a proceeding pursuant to CPLR article 78.

The judgment dismissed the petition against respondent New York State Teachers' Retirement
System. It is hereby ORDERED that the judgment so appealed from is unanimously affirmed
without costs for reasons stated in the decision at Supreme Court. Entered: February 4, 2022 Ann
Dillon Flynn Clerk of the Court