

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

**MARGARITA ROSSY, as Administrator of the
ESTATE OF JOSE HERNANDEZ-ROSSY**

Plaintiff,

-vs-

**NOTICE OF APPEAL
INDEX NO: 17-cv-0937**

**CITY OF BUFFALO, and its agents, servants and employees,
and BUFFALO POLICE DEPARTMENT P.O. JUSTIN TEDESCO,
BUFFALO POLICE DEPARTMENT P.O. JOSEPH ACQUINO, and
POLICE COMMISSIONER DANIEL DERENDA, Individually and in
Their representative capacities, and AMERICAN MEDICAL RESPONSE
d/b/a "AMR", and its agents, servants and employees.**

Defendants.

Notice is given that defendants appeal to the United States Court of Appeals for the Second Circuit from an order entered on September 5, 2023 (Dkt. No. 142), which denied the Defendants, City of Buffalo, City of Buffalo Police Department P.O. Justin Tedesco, Buffalo Police Department P.O. Joseph Acquino, and Police Commissioner Daniel Derenda's, ("City Defendants") motion for summary judgment (Dkt. No. 107). The City Defendants limit this appeal to the District Court's denial of their motion for summary judgment based on qualified immunity.

Dated: October 5, 2023
Buffalo, New York

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