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This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

**SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-5049-18T3**

NICHOLAS BURKE,

Plaintiff-Respondent,

v.

STATE OF NEW JERSEY,
COUNTY OF WARREN,

Defendant,

and

TOWNSHIP OF INDEPENDENCE,

Defendant-Appellant.

Argued March 11, 2020 – Decided October 16, 2020

Before Judges Fuentes and Mayer.

On appeal from the Superior Court of New Jersey, Law
Division, Warren County, Docket No. L-0031-19.

James M. McCreedy argued the cause for appellant
(Wiley Malehorn Sirota & Raynes, attorneys; James M.
McCreedy, of counsel and on the briefs; Carolyn C.
Duff, on the briefs).

Craig M. Rothenberg argued the cause for respondent (Rothenberg Rubenstein Berliner & Shinrod, LLC, attorneys; Craig M. Rothenberg, of counsel and on the brief; Susan V. Ferreira, on the brief).

The opinion of the court was delivered by

FUENTES, J.A.D.

We have been advised that this matter has been amicably adjusted and the parties have stipulated to the dismissal of this appeal. Accordingly, the appeal is dismissed with prejudice and without costs.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.



CLERK OF THE APPELLATE DIVISION