

**Supreme Court of the State of New York
Appellate Division: Second Judicial Department**

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_____AD3d_____

STEPHEN G. CRANE, J.P.
DAVID S. RITTER
REINALDO E. RIVERA
ROBERT J. LUNN, JJ.

2006-06592

DECISION, ORDER & JUDGMENT

In the Matter of James Owens, petitioner, v
Arnold Lim, etc., respondent.

James Owens, Attica, N.Y., petitioner pro se.

Eliot Spitzer, Attorney-General, New York, N.Y. (Lisa Ghartey of counsel), for
respondent.

Proceeding pursuant to CPLR article 78 in the nature of mandamus, inter alia, to
compel the respondent Arnold Lim, a Judge of the Family Court, Kings County, to decide a motion
for “Modification of Placement and to Vacate a Jurisdictional Defective Order,” in a proceeding in
that court entitled *Matter of Jessica K.*, pending under Docket No. NN-20366/04, and application
by the petitioner for poor person relief.

ORDERED that the application for poor person relief is granted to the extent that the
filing fee imposed by CPLR 8022(b) is waived, and the application is otherwise denied; and it is
further,

ADJUDGED that the petition is denied and the proceeding is dismissed, without costs
or disbursements.

November 14, 2006

MATTER OF OWENS v LIM

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This court does not have subject matter jurisdiction (*see* CPLR 7804[b]; 506[b]) to entertain this proceeding.

CRANE, J.P., RITTER, RIVERA and LUNN, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, looping initial "J".

James Edward Pelzer
Clerk of the Court