

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

D20454
C/kmg

_____AD3d_____

PETER B. SKELOS, J.P.
DAVID S. RITTER
ANITA R. FLORIO
EDWARD D. CARNI, JJ.

2008-03577

DECISION & ORDER & JUDGMENT

In the Matter of Jermaine Boykin, petitioner,
v Clerk of Supreme Court, Orange County,
respondent.

Jermaine Boykin, Fallsburg, N.Y., petitioner pro se.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Andrew R. Kass of counsel),
for respondent.

Proceeding pursuant to CPLR article 78 in the nature of mandamus to compel the respondent, the Clerk of the Supreme Court, Orange County, to provide the petitioner with copies of his pretrial, trial, and sentence transcripts, 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 proceeding is dismissed, without costs or disbursements.

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

SKELOS, J.P., RITTER, FLORIO and CARNI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 23, 2008

MATTER OF BOYKIN v CLERK OF SUPREME COURT, ORANGE COUNTY