

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

D30352  
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REINALDO E. RIVERA, J.P.  
RUTH C. BALKIN  
JOHN M. LEVENTHAL  
L. PRISCILLA HALL, JJ.

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2010-11380

DECISION, ORDER & JUDGMENT

In the Matter of James Pettus, petitioner, v  
Frank Dudis, etc., et al., respondents.

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James Pettus, Pine City, N.Y., petitioner pro se.

Eric T. Schneiderman, Attorney General, New York, N.Y. (Charles F. Sanders of  
counsel), for respondents.

Proceeding pursuant to CPLR article 78 in the nature of mandamus to compel Frank Dudis, an Assistant District Attorney, Kings County, and Melissa Broder, an Assistant Counsel for the Grievance Committee for the Second, Eleventh, and Thirteenth Judicial Districts, to investigate, inter alia, the characterization and processing of the petitioner's complaint to the Grievance Committee for the Second, Eleventh, and Thirteenth Judicial Districts with respect to the prosecutor's conduct in an underlying criminal action entitled *People v Pettus*, commenced in the Supreme Court, Kings County, under Indictment No. 6013/02, 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]; *Matter of Taylor v Adler*, 73 AD3d 937).

RIVERA, J.P., BALKIN, LEVENTHAL and HALL, JJ., concur.

ENTER:   
Matthew G. Kiernan

March 8, 2011

MATTER OF PETTUS v DUDIS

Clerk of the Court

March 8, 2011

MATTER OF PETTUS v DUDIS