

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

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PETER B. SKELOS, J.P.  
MARK C. DILLON  
JOHN M. LEVENTHAL  
SANDRA L. SGROI, JJ.

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2012-04132

DECISION, ORDER & JUDGMENT

In the Matter of Alexander Breytman, petitioner, v  
Yvonne Lewis, etc., et al., respondents.

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Alexander Breytman, Brooklyn, N.Y., petitioner pro se.

Proceeding pursuant to CPLR article 78, inter alia, in the nature of mandamus to compel the respondent Yvonne Lewis, a Justice of the Supreme Court, Kings County, to determine certain motions pending before her, 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 as academic; and it is further,

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

The petitioner failed to serve a necessary party, the respondent Yvonne Lewis (*see* CPLR 7804[i]).

SKELOS, J.P., DILLON, LEVENTHAL and SGROI, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

December 12, 2012

MATTER OF BREYTMAN v LEWIS