

**157 W. 123rd St. Hous. Dev. Fund Corp. v
Green**

2026 NY Slip Op 30829(U)

March 4, 2026

Supreme Court, New York County

Docket Number: Index No. 166266/2025

Judge: Emily Morales-Minerva

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: PART 42M

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157 WEST 123RD STREET HOUSING DEVELOPMENT
FUND CORPORATION,

Plaintiff,

- v -

SAMUEL NEVERSON GREEN, JERMAINE JACKSON,
JOHN DOE AND JANE DOE

Defendants.

INDEX NO. 166266/2025

MOTION DATE 03/03/2026

MOTION SEQ. NO. 001

**DECISION + ORDER ON
MOTION**

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HON. EMILY MORALES-MINERVA:

The following e-filed documents, listed by NYSCEF document number (Motion 001) 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21

were read on this motion to/for INJUNCTION/RESTRAINING ORDER.

APPEARANCES:

Moulinos & Levinas PLLC, New York, NY (Rosa A DiMaria, Esq., and Peter Moulinos, Esq.) for plaintiff.

HON. EMILY MORALES-MINERVA:

In this action for, among other things, a declaratory judgment and injunctive relief, plaintiff 157 WEST 123RD STREET HOUSING DEVELOPMENT FUND CORPORATION moves, by order to show cause (motion sequence number 01), for a preliminary injunction prohibiting defendants SAMUEL NEVERSON GREEN and JERMAINE JACKSON from (1) performing, commencing or continuing any unapproved, illegal construction, demolition, renovation, plumbing and electrical work (work) in Unit #6G (premises) located at 157 West 123rd Street, New York, New York 10027

(building); (2) interfering with the building's plumbing, electrical, structural, or common systems; (3) threatening, harassing, intimidating, or otherwise interfering with plaintiff, its board members, and residents; and (4) blocking, denying, or otherwise restricting access to the premises to plaintiff, its board members, managing agent, superintendent, and engineers for the purpose of inspection, remediation of unsafe conditions, or enforcement of plaintiff's rights (see New York State Court Electronic Filing System [NYSCEF] Doc. No. 04, order to show cause, dated December 23, 2025).

Pending the hearing on the request for a preliminary injunction, the court (J. Clynes, J.S.C.) granted plaintiff a temporary restraining order, enjoining defendants from, among other things, performing, commencing, or continuing any work within the premises (see NYSCEF Doc. No. 20, signed order to show cause with interim relief granted, dated December 24, 2025). Defendants did not submit opposition to the motion (seq. no. 01).

The order to show cause (mot. seq. no. 01) was returnable in Part 42M, 111 Centre Street, New York, New York, on March 3, 2026, at 11:00 A.M. At the call of the calendar, only plaintiff appeared, by counsel. Defendants both failed to appear and proffer a reasonable excuse for said failure.

Therefore, the order to show cause (mot. seq. no. 01) is granted without opposition. Accordingly, it is hereby

ORDERED that the motion, by order to show cause, of plaintiff 157 WEST 123RD STREET HOUSING DEVELOPMENT FUND CORPORATION is granted, without opposition; it is further

ORDERED that defendants SAMUEL NEVERSON GREEN and JERMAINE JACKSON, their agents, employees, contractors, invitees, or anyone acting on behalf of or in concert with defendants are enjoined and restrained from (1) performing, commencing or continuing any unapproved, illegal construction, demolition, renovation, plumbing and electrical work in Unit #6G located at 157 West 123rd Street, New York, New York 10027; from (2) interfering with the building's plumbing, electrical, structural, or common systems, including, but not limited to, the main water line of the G-line; from (3) threatening, harassing, intimidating, or otherwise interfering with plaintiff, its board members, managing agent, contractors, agents, or lawful residents of the building who seek to enforce the plaintiff's rights or prevent the aforementioned work; and from (4) blocking, denying, or otherwise restricting access to the premises to plaintiff, its board members, managing agent, superintendent, engineers, or safety personnel for the purpose of inspection, remediation of unsafe conditions, or enforcement of plaintiff's rights; it is further

ORDERED that, within ten days from the date of this decision and order, plaintiff shall serve a copy of this order, with notice of entry, on defendants by overnight federal express courier service; it is further

ORDERED that the parties must appear for a virtual conference, with a Microsoft TEAMS link to be provided, on April 30, 2026, at 11:00 A.M.; and it is further

ORDERED that the Clerk of Court shall mark the file accordingly.

3/4/2026
DATE


EMILY MORALES-MINERVA, J.S.C.

CHECK ONE:	<input type="checkbox"/>	CASE DISPOSED	<input checked="" type="checkbox"/>	NON-FINAL DISPOSITION
	<input checked="" type="checkbox"/>	GRANTED	<input type="checkbox"/>	GRANTED IN PART
			<input type="checkbox"/>	OTHER
APPLICATION:	<input type="checkbox"/>	SETTLE ORDER	<input type="checkbox"/>	SUBMIT ORDER
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/>	FIDUCIARY APPOINTMENT
			<input type="checkbox"/>	REFERENCE