

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

D57645  
T/htr

\_\_\_\_\_AD3d\_\_\_\_\_

REINALDO E. RIVERA, J.P.  
RUTH C. BALKIN  
JOSEPH J. MALTESE  
BETSY BARROS, JJ.

---

2018-11892

DECISION & JUDGMENT

In the Matter of Robert Strang, Sr., et al., petitioners,  
v Catherine M. Bartlett, etc., respondent.

---

Ferrara Law, P.C., Goshen, NY (Jamie T. Ferrara of counsel), for petitioners.

John E. Ziobro, Warwick, NY, for nonparties John Arbo and Victoria Arbo.

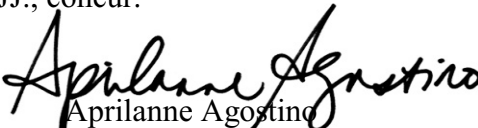
Proceeding pursuant to CPLR article 78, inter alia, in the nature of prohibition to prohibit the respondent, the Honorable Catherine M. Bartlett, an Acting Justice of the Supreme Court, Orange County, from enforcing an amended judgment dated November 28, 2017, entered in an action entitled *Arbo v Strang*, commenced in the Supreme Court, Orange County, under Index No. 6363/15.

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

“Because of its extraordinary nature, prohibition is available only where there is a clear legal right, and then only when a court—in cases where judicial authority is challenged—acts or threatens to act either without jurisdiction or in excess of its authorized powers” (*Matter of Holtzman v Goldman*, 71 NY2d 564, 569; see *Matter of Rush v Mordue*, 68 NY2d 348, 352).

The petitioners have failed to establish a clear legal right to the relief sought.

RIVERA, J.P., BALKIN, MALTESE and BARROS, JJ., concur.

ENTER:   
Aprilanne Agostino  
Clerk of the Court

December 19, 2018

MATTER OF STRANG v BARTLETT