

State Farm Fire & Cas. Co. v Braswell

2026 NY Slip Op 31931(U)

May 4, 2026

Supreme Court, New York County

Docket Number: Index No. 157455/2024

Judge: Emily Morales-Minerva

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This opinion is uncorrected and not selected for official publication.

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

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STATE FARM FIRE AND CASUALTY COMPANY,

Plaintiff,

- v -

KATRINA BRASWELL, MICHAEL BUSSEY, LESCHEA ALDRIDGE, CHAI DIAGNOSTICS LLC, DS MEDICAL DIAGNOSTICS P.C., EQUINOX PHYSICAL THERAPY P.C., FIVE STAR PHARMACY, INC., GLOBAL OS LLC, JPR ONE INC., LUMINEX BK LLC, MB CENTURY INC., PAIN RELIEF PRODUCTS CORP., PARS MEDICAL P.C., PRIME SPECIALTY PHARMACY LLC, RAIA MEDICAL SERVICES, P.C., RASHBI DIAGNOSTIC IMAGING INC., RS ORTHO SUPPLY, INC., WAY TO REHAB PT, P.C., WELLNESS LINE INC.

Defendant.
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INDEX NO. 157455/2024

MOTION DATE 09/25/2025

MOTION SEQ. NO. 001

DECISION + ORDER ON MOTION

The following e-filed documents, listed by NYSCEF document number (Motion 001) 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 75, 76

were read on this motion to/for

JUDGMENT - DEFAULT

APPEARANCES:

Siegel & O'Leary LLP, New York, NY (Kevin William O'Leary, Esq. of counsel), for plaintiff.

EMILY MORALES-MINERVA, J.S.C.

In this insurance action, plaintiff STATE FARM FIRE AND CASUALTY COMPANY (plaintiff) moves, pursuant to CPLR § 3215, for an order granting it leave to enter a default judgment against defendants KATRINA BRASWELL, MICHAEL BUSSEY, LESCHEA ALDRIDGE, CHAI DIAGNOSTICS LLC, EQUINOX PHYSICAL THERAPY P.C., FIVE STAR PHARMACY, INC., GLOBAL OS LLC, JPR ONE INC., LUMINEX BK LLC, MB

CENTURY INC., PAIN RELIEF PRODUCTS CORP., PARIS MEDICAL P.C., RS ORTHO SUPPLY, INC. and WELLNESS LINE INC. (defendants).

Defendants do not appear or submit opposition to the motion (sequence number 01).

When a defendant fails "to appear, plead or proceed to trial of an action reached and called for trial, or when the court orders a dismissal for any other neglect to proceed, the plaintiff may seek a default judgment against [the defendant]" (CPLR § 3215 [a]). To establish entitlement to a default judgment, plaintiff must file (1) proof it served defendant with the summons and complaint, and (2) "proof of the facts constituting the claim, the default, and the amount due . . . by affidavit made by the party" (CPLR § 3215 [f]; see also Woodson v Mendon Leasing Corp., 100 NY2d 62, 70 [2003] [providing that "an applicant for a default judgment [must] file 'proof by affidavit made by the party of the facts constituting the claim'"]; 231st Riverdale LLC v 7 Star Home Furniture Inc., 198 AD3d 524, 525 [1st Dept 2021]; Feffer v Malpeso, 210 AD2d 60 [1st Dept 1994]).

Here, plaintiff demonstrates its entitlement to entry of a default judgment against the defendants by submitting, among other things, the affirmations/affidavits of service; the affirmations of additional mailing; proof of the underlying facts constituting the claim; proof of default; and proof of the

individual defendants' non-military status (see CPLR § 3215 [f]; see also Licurgo-Villar v Samouha, 227 AD3d 619, 620 [1st Dept 2024]; Guzetti v City of New York, 32 AD3d 234 [1st Dept 2006]).

Accordingly, it is hereby

ORDERED that the motion (seq. no. 01) pursuant to CPLR § 3215 of plaintiff STATE FARM FIRE AND CASUALTY COMPANY for a default judgment against defendants KATRINA BRASWELL, MICHAEL BUSSEY, LESCHEA ALDRIDGE, CHAI DIAGNOSTICS LLC, EQUINOX PHYSICAL THERAPY P.C., FIVE STAR PHARMACY, INC., GLOBAL OS LLC, JPR ONE INC., LUMINEX BK LLC, MB CENTURY INC., PAIN RELIEF PRODUCTS CORP., PARIS MEDICAL P.C., RS ORTHO SUPPLY, INC. and WELLNESS LINE INC. is granted; it is further

ORDERED that the Clerk of Court is directed to enter judgment in favor of plaintiff STATE FARM FIRE AND CASUALTY COMPANY and against defendants KATRINA BRASWELL, MICHAEL BUSSEY, LESCHEA ALDRIDGE, CHAI DIAGNOSTICS LLC, EQUINOX PHYSICAL THERAPY P.C., FIVE STAR PHARMACY, INC., GLOBAL OS LLC, JPR ONE INC., LUMINEX BK LLC, MB CENTURY INC., PAIN RELIEF PRODUCTS CORP., PARIS MEDICAL P.C., RS ORTHO SUPPLY, INC. and WELLNESS LINE INC.; it is further

ORDERED, ADJUDGED, and DECLARED that plaintiff STATE FARM FIRE AND CASUALTY COMPANY has no duty to provide, pay or honor any current or future claims from KATRINA BRASWELL, MICHAEL BUSSEY, LESCHEA ALDRIDGE, CHAI DIAGNOSTICS LLC, EQUINOX PHYSICAL

THERAPY P.C., FIVE STAR PHARMACY, INC., GLOBAL OS LLC, JPR ONE INC., LUMINEX BK LLC, MB CENTURY INC., PAIN RELIEF PRODUCTS CORP., PARIS MEDICAL P.C., RS ORTHO SUPPLY, INC. and WELLNESS LINE INC. for claims relating to no-fault and uninsured/underinsured motorists benefits, or to provide, pay, honor or reimburse any claims arising out of the motor vehicle collision of November 6, 2023; it is further

ORDERED that, within twenty days from the date of this decision and order, plaintiff shall serve copies of this order, with notice of entry, on defendants, as well as on the Clerk of the Court, who shall enter judgment accordingly; and it is further

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

5/4/2026
DATE

Emily M. Minerva
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
APPLICATION:	<input type="checkbox"/>	SETTLE ORDER	<input type="checkbox"/>	OTHER
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/>	FIDUCIARY APPOINTMENT
			<input type="checkbox"/>	REFERENCE