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November 2019

Decision in Art. 78 proceeding - Chan, Dennie (2002-05-10)

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STATE OF NEW YORK
SUPREME COURT

COUNTY OF ALBANY

In the Matter of the Application of

DENNIE CHAN, 92-A-8886,

Petitioner,

-against-

01-02-S12753

ORDER TO SHOW CAUSE

Index # 3045-02

BRION TRAVIS, CHAIRMAN, NEW YORK STATE
DIVISION OF PAROLE,

Respondent (s).

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules.

Supreme Court, Albany County,

HON. BERNARD J. MALONE, JR., JUSTICE PRESIDING

APPEARANCES: DENNIE CHAN
Petitioner Pro Se

This ex parte matter was referred to my attention at a
Part I Term, Supreme Court, at Albany County.

Upon reading of the Petition, sworn to the 23rd day of
April, 2002;

LET respondents show cause at a Special Term of the
Supreme Court, to be held in and for the County of Albany, on
August 30, 2002, at the Albany County Courthouse, at
Eagle and Columbia Streets, Albany, New York 12207, at 9:30 o'clock
in the forenoon thereof WHY the relief requested in the Petition
should not be granted, it is

ORDERED, that the Supreme Court Clerk shall deliver this
Order to Show Cause and the Petition to the Clerk of the Court who
is directed to assign an index number and then return the papers to
the Supreme Court Clerk for transmittal to the petitioner so that
~~service may be effected~~, and it is further

ORDERED, that service of this Order to Show Cause, the
petition, exhibits and any supporting affidavits, by ordinary First
class Mail, upon each named respondents and upon the Attorney
General for the State of New York, at the Department of Law, State
Capitol, Albany, New York 12224, on or before
June 14, 2002, be deemed adequate.

It is petitioner's responsibility to:

02 JUN 19 11:45:25
ALBANY COUNTY
CLERK OF SUPREME COURT

(a) Serve his/her papers as authorized above or by personal service. The grant of poor person relief does not authorize the assignment or appointment of counsel, nor does it authorize the Clerk's Office to provide photo-reproduction services or service of papers on behalf of a pro se litigant, as these services are not statutorily authorized under a grant of poor person relief (CPLR §1102).

(b) File 3 copies of a Request for Judicial Intervention (RJI) Form with the Supreme Court Special Term Clerk, at the Albany County Courthouse, Columbia and Eagle Streets, Albany, N.Y. 12207, at least eight (8) days prior to the above return date.

(c) Submit all papers upon which he is relying, including the Order to Show Cause and the Petition, together with the original proof of service, to the Albany County Supreme Court Special Term Clerk, Room 102, Albany County Courthouse, Albany, NY 12207 at least eight (8) days prior to the return date.

The Supreme Court Special Term Clerk is directed to place this matter on the Special Term Calendar.

Answers/or opposition papers are to be served at least five (5) days before the return date.

IT IS SO ORDERED!

Dated: May 10, 2002
at Albany, New York


J.S.C.

Bernard J. Malone, Jr., J.S.C