

Fordham Law School

FLASH: The Fordham Law Archive of Scholarship and History

All Decisions

Housing Court Decisions Project

2023-03-21

JAFFIER v. CAMILLE

Follow this and additional works at: https://ir.lawnet.fordham.edu/housing_court_all

Recommended Citation

"JAFFIER v. CAMILLE" (2023). *All Decisions*. 1211.
https://ir.lawnet.fordham.edu/housing_court_all/1211

This Housing Court Decision is brought to you for free and open access by the Housing Court Decisions Project at FLASH: The Fordham Law Archive of Scholarship and History. It has been accepted for inclusion in All Decisions by an authorized administrator of FLASH: The Fordham Law Archive of Scholarship and History. For more information, please contact tmelnick@law.fordham.edu.

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF KINGS: HOUSING PART P
CORNELIUS JAFFIER,

Petitioner,

Index No. L&T 313912/22

DECISION/ORDER

-against-
MILDRED CAMILLE,
"JOHN DOE" and "JANE DOE",
Respondents.

Hon. Kevin C. McClanahan

Recitation, as required by CPLR 2219(A), of the papers considered in the review of this motion to proceed to inquest.

PAPERS

NUMBERED

NOTICE OF MOTION AND AFFIDAVITS & AFFIRMATION ANNEXED
ANSWER AFFIRMATION & AFFIDAVIT
REPLYING AFFIDAVITS & AFFIRMATION
EXHIBITS

The Court’s complete rationale is on the record. Petitioner specifically testified about three events. The rest of his testimony was general without dates or times.

The alleged event on November 14, 2021, was isolated and the Court does not find his testimony credible that respondent’s son broke the wire glass while he sat in a car across the street. He also failed to convince the Court that the other six boys were not involved. Regarding the arrest that occurred on the same date, petitioner facilitated the encounter by bringing the police to respondent’s door, acting as if he was there in his role as owner and then, when the door was opened for him, made accusations about property damage to the police standing there. There was not warrant and the police had no right to question a minor.

The second event happened on October 10, 2021, involving an alleged leak or water

overflow. With no proof, petitioner assumed respondent had intentionally caused the leak and called the Fire Department. The final event took place on some indeterminate date and involved petitioner's baseless accusation that respondent's son broke a window, entered the basement and ultimately had an argument with the superintendent. Petitioner claimed a tenant called the police. Petitioner admitted that he had not seen respondent's son break the window and admitted "the boy has always respected me."

Based on the foregoing, the Court hereby dismisses the proceeding with prejudice.

Dated: March 21, 2023
Brooklyn, NY



Kevin C. McClanahan, J.H.C.
Hon. Kevin McClanahan