

REQUEST FOR JUDICIAL INTERVENTION

UCS-840 (7/2012)

Supreme COURT, COUNTY OF New York

Index No: Date Index Issued:

CAPTION: Enter the complete case caption. Do not use et al or et ano. If more space is required, attach a caption rider sheet.

ENERGY & ENVIRONMENT LEGAL INSTITUTE

and

FREE MARKET ENVIRONMENTAL
LAW CLINIC

Plaintiff(s)/Petitioner(s)

against
THE ATTORNEY GENERAL OF NEW YORK

For Court Clerk Use Only:

IAS Entry Date

Judge Assigned

RJI Date

RECEIVED

JUL 25 2016

NEW YORK
COUNTY CLERK'S OFFICE

Defendant(s)/Respondent(s)

NATURE OF ACTION OR PROCEEDING

(Check ONE box only and specify where indicated)

MATRIMONIAL

☐ Contested

NOTE: For all Matrimonial actions where the parties have children under the age of 18, complete and attach the **MATRIMONIAL RJI Addendum**.
For Uncontested Matrimonial actions, use RJI form UD-13.

TORTS

☐ Asbestos

☐ Breast Imp'ant

☐ Environmental: (specify)

☐ Medical, Dental, or Podiatric Malpractice

☐ Motor Vehicle

☐ Products Liability: (specify)

☐ Other Negligence: (specify)

☐ Other Professional Malpractice: (specify)

☐ Other Tort: (specify)

OTHER MATTERS

☐ Certificate of Incorporation/Dissolution [see NOTE under Commercial]

☐ Emergency Medical Treatment

☐ Habeas Corpus

☐ Local Court Appeal

☐ Mechanic's Lien

☐ Name Change

☐ Pistol Permit Revocation Hearing

☐ Sale or Finance of Religious/Not-for-Profit Property

☐ Other: (specify)

COMMERCIAL

☐ Business Entity (including corporations, partnerships, LLCs, etc.)

☐ Contract

☐ Insurance (where insurer is a party, except arbitration)

☐ UCC (including sales, negotiable instruments)

☐ Other Commercial: (specify)

NOTE: For Commercial Division assignment requests [22 NYCRR § 202.70(d)], complete and attach the **COMMERCIAL DIV RJI Addendum**.

REAL PROPERTY: How many properties does the application include?

☐ Condemnation

☐ Mortgage Foreclosure (specify): ☐ Residential ☐ Commercial

Property Address: Street Address City State Zip

NOTE: For Mortgage Foreclosure actions involving a one- to four-family, owner-occupied, residential property, or an owner-occupied condominium, complete and attach the **FORECLOSURE RJI Addendum**.

☐ Tax Certiorari - Section: Block: Lot:

☐ Tax Foreclosure

☐ Other Real Property: (specify)

SPECIAL PROCEEDINGS

☐ CPLR Article 75 (Arbitration) [see NOTE under Commercial]

☒ CPLR Article 78 (Body or Officer)

☐ Election Law

☐ MHL Article 9.60 (Kendra's Law)

☐ MHL Article 10 (Sex Offender Confinement-Initial)

☐ MHL Article 10 (Sex Offender Confinement-Review)

☐ MHL Article 81 (Guardianship)

☐ Other Mental Hygiene: (specify)

☐ Other Special Proceeding: (specify)

STATUS OF ACTION OR PROCEEDING

Answer YES or NO for EVERY question AND enter additional information where indicated.

YES NO

Has a summons and complaint or summons w/notice been filed?

☒

☐

If yes, date filed: _____

Has a summons and complaint or summons w/notice been served?

☐

☒

If yes, date served: _____

Is this action/proceeding being filed post-judgment?

☐

☒

If yes, judgment date: _____

NATURE OF JUDICIAL INTERVENTION:

Check ONE box only AND enter additional information where indicated.

- ☐ Infant's Compromise
☐ Note of Issue and/or Certificate of Readiness
☐ Notice of Medical, Dental, or Podiatric Malpractice
☐ Notice of Motion
☒ Notice of Petition
☐ Order to Show Cause
☐ Other Ex Parte Application
☐ Poor Person Application
☐ Request for Preliminary Conference
☐ Residential Mortgage Foreclosure Settlement Conference
☐ Writ of Habeas Corpus
☐ Other (specify):

Date Issue Joined: _____

Relief Sought: _____
 Relief Sought: Hearing
 Relief Sought: _____
 Relief Sought: _____

Return Date: _____
 Return Date: August 25, 2016
 Return Date: _____

RELATED CASES:

List any related actions. For Matrimonial actions, include any related criminal and/or Family Court cases. If additional space is required, complete and attach the RJJ Addendum. If none, leave blank.

Case Title	Index/Case No.	Court	Judge (if assigned)	Relationship to Instant Case

PARTIES:

For parties without an attorney, check "Un-Rep" box AND enter party address, phone number and e-mail address in space provided. If additional space is required, complete and attach the RJJ Addendum.

Un-Rep	Parties:	Attorneys and/or Unrepresented Litigants:	Issue Joined (Y/N):	Insurance Carrier(s):
<input type="checkbox"/>	Last Name Energy & Environment Legal Institute First Name Petitioner Primary Role: Secondary Role (if any):	Last Name Law Office of Francis Menton First Name 85 Broad Street, 18th floor New York 10004 Street Address City State Zip Phone 2126271796 Fax fmenton@manhattancontrarian.com e-mail	<input type="radio"/> YES <input checked="" type="radio"/> NO	n/a
<input type="checkbox"/>	Last Name Free Market Environmental Law Clinic First Name Petitioner Primary Role: Secondary Role (if any):	Last Name Law Office of Francis Menton First Name 85 Broad Street, 18th floor New York Street Address City State Zip Phone 2126271796 Fax fmenton@manhattancontrarian.com e-mail	<input type="radio"/> YES <input checked="" type="radio"/> NO	n/a
<input type="checkbox"/>	Last Name Attorney General of New York First Name Respondent Primary Role: Secondary Role (if any):	Last Name Attorney General of New York First Name 120 Broadway, 24th Floor New York 10271 Street Address City State Zip Phone 2124168808 Fax e-mail	<input type="radio"/> YES <input checked="" type="radio"/> NO	n/a
<input type="checkbox"/>	Last Name First Name Primary Role: Secondary Role (if any):	Last Name Firm Name Street Address City State Zip Phone Fax e-mail	<input type="radio"/> YES <input type="radio"/> NO	

I AFFIRM UNDER THE PENALTY OF PERJURY THAT, TO MY KNOWLEDGE, OTHER THAN AS NOTED ABOVE, THERE ARE AND HAVE BEEN NO RELATED ACTIONS OR PROCEEDINGS, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION PREVIOUSLY BEEN FILED IN THIS ACTION OR PROCEEDING.

Dated: July 22, 2014

1391077

ATTORNEY REGISTRATION NUMBER

Francis Menton

SIGNATURE
Francis Menton

PRINT OR TYPE NAME

AFFIDAVIT OF SERVICE

State of New York)
County of New York)

The undersigned being duly sworn, deposes and says:

Francis Menton is not a party to the action, is over
(name of person serving papers)

18 years of age and resides at 391 Bleeker St.,
New York, NY 10014
(complete address of person serving papers)

That on July 25, 2016, deponent served the within
Notice of Petition, Petition, RJI
(date of service)
(name of document[s] served)

upon Attorney General of the State of New York located at
(name of person/corporation served)
120 Broadway, 24th floor, New York, NY
(complete address where other party/corporation served)

(Select method of service)

☒ Personal Service: by delivering a true copy of the aforesaid documents personally;
deponent knew said person/corporation so served to be the person/corporation described.

____ Service by Mail: by depositing a true copy of the aforesaid documents in a postpaid
properly addressed envelope in a post office or official depository under the exclusive care
and custody of the United States Postal Service.

Francis Menton
Signature of person serving papers

Francis Menton
Printed Name

Sworn to before me this 25th

day of July, 2016

Rachel Badal
Notary Public

RACHEL BADAL
Notary Public, State of New York
No. 01BA6087097
Qualified in Kings County
Commission Expires Feb. 10, 2019