

A-13.

RESPONDENT'S NOTICE OF MOTION

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

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GEORGE SASSOWER,

Petitioner

Index No. 10314/78

-against-

JOHN P. FINNERTY, SHERIFF OF  
SUFFOLK COUNTY,

NOTICE OF MOTION  
TO DISMISS PETITION  
RAISING OBJECTIONS  
IN POINT OF LAW

Respondent.

For an Order Pursuant to  
Article 78 CPLR.

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S I R S :

PLEASE TAKE NOTICE, that upon the petition herein and the affidavit attached thereto of GEORGE SASSOWER, both dated and sworn to the 7th day of June 1978, and the affidavit of ERICK F. LARSEN dated June 30, 1978 in support of defendant's motion to dismiss, the defendant JOHN P. FINNERTY, Sheriff of Suffolk County, by HOWARD E. PACHMAN, Suffolk County Attorney, attorney of record for defendant, will move this Court at a Special Term, Part I, thereof held in and for the County of Westchester at the courthouse thereof, 111 Grove Street, White Plains, New York, on the adjourned return date of the above entitled proceeding; to wit, the 21st day of July 1978 at 9:30 o'clock in the forenoon of that day or as soon thereafter

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as counsel can be heard for an order dismissing the petition herein on the grounds that:

1. Events occurring subsequent to service of the petition render the petition moot in all respects.
2. The doctrines of res adjudicata and collateral estoppel bar the relief sought in the petition.
3. The petitioner has designated an improper venue of this proceeding.

Dated: Hauppauge, New York  
June 30, 1978

Yours, etc.

HOWARD E. PACHMAN  
Suffolk County Attorney  
Attorney for Def. John P. Finnerty  
Office & P.O. Address  
Veterans Memorial Highway  
Hauppauge, New York 11787  
(516) 979-2485

ERICK F. LARSEN, of Counsel

TO: GOERGE SASSOWER, ESQ.  
Attorney for Petitioner pro se  
75 Wykagyl Station  
New Rochelle, New York 10804  
(212) 962-5757