

**SUPREME COURT - STATE OF NEW YORK
TRIAL TERM, PART 25 NASSAU COUNTY**

PRESENT:

Honorable Karen V. Murphy
Justice of the Supreme Court

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MAY 24 2007

GENERAL-COUNSEL'S OFFICE

_____x

PRECIOUS STEPHENS,

Petitioner,

-against-

Index No: 674/07

HOLMAR NURSING AGENCY INC.,

Motion Dated: 2/22/07

Motion Submitted: 2/22/07

Motion Sequence: 001

Defendant.

_____x

The following papers read on this motion:

- Notice of Motion/Order to Show Cause.....X
- Answering Papers.....X
- Reply.....
- Briefs: Plaintiff's/Petitioner's.....
- Defendant's/Respondent's.....

Petitioner seeks a judgment awarding damages in the amount of \$500,000.00 for pain and suffering caused by the respondent, due to discrimination in firing Petitioner from a position as a Certified Nurse Assistant. Petitioner alleges that she was improperly terminated from her employment with respondent agency due to a prior conviction. The petition was opposed by the New York State Division of Human Rights.

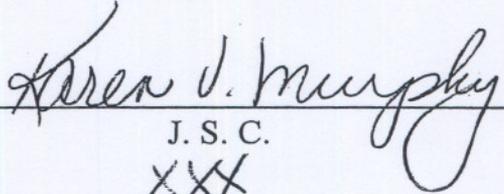
The Petition is dismissed.

Petitioner failed to submit an affidavit of service demonstrating service of the instant Petition upon Holmar Nursing Agency Inc. Rather, she submitted an affidavit of service upon an individual, M. Holliday. Such affidavit does not provide this Court with jurisdiction

over the named respondent. Further, the Request for Judicial Intervention which accompanied Petitioner's submission, was not signed.

The foregoing constitutes the Order of this Court.

Dated: May 18, 2007
Mineola, N. Y.



J. S. C.
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