

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

840

OP 24-00882

PRESENT: WHALEN, P.J., LINDLEY, BANNISTER, NOWAK, AND HANNAH, JJ.

IN THE MATTER OF HOI TRINH, PETITIONER,

V

ORDER

DONNA M. SIWEK, IN HER OFFICIAL CAPACITY AS
JUSTICE OF THE SUPREME COURT, COUNTY OF ERIE,
AND FATHER JOSEPH THIEN NGUYEN, RESPONDENTS.

HGT LAW, NEW YORK CITY (HUNG G. TA OF COUNSEL), FOR PETITIONER.

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (FRANK BRADY OF COUNSEL), FOR
RESPONDENT DONNA M. SIWEK, IN HER OFFICIAL CAPACITY AS JUSTICE OF THE
SUPREME COURT, COUNTY OF ERIE.

FINNERTY OSTERREICHER & ABDULLA, BUFFALO (JOSEPH M. FINNERTY OF
COUNSEL), FOR RESPONDENT FATHER JOSEPH THIEN NGUYEN.

Proceeding pursuant to CPLR article 78 (initiated in the
Appellate Division of the Supreme Court in the Fourth Judicial
Department pursuant to CPLR 506 [b] [1]) to compel respondent Donna M.
Siwek, in her official capacity as Justice of the Supreme Court,
County of Erie, to determine a motion.

Now, upon reading and filing the stipulation of discontinuance
signed by the attorneys for the parties on October 9 and 10, 2024,

It is hereby ORDERED that said proceeding is unanimously
dismissed without costs upon stipulation.

Entered: December 20, 2024

Ann Dillon Flynn
Clerk of the Court