

State of New York

Court of Appeals

*Decided and Entered on the
twenty-seventh day of June, 2019*

Present, Hon. Janet DiFiore, *Chief Judge, presiding.*

Mo. No. 2019-413

Xue Jie He,
Appellant,

v.

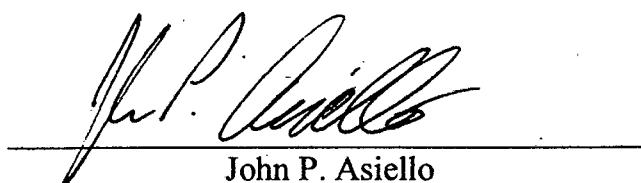
Guttenberg NJ Police, et al.,
Respondents.

Appellant having moved for leave to appeal to the Court of Appeals and for
poor person relief in the above cause;

Upon the papers filed and due deliberation, it is

ORDERED, that the motion for leave to appeal is dismissed upon the ground
that it does not lie (see NY Const, art VI, § 3); and it is further

ORDERED, that the motion for poor person relief is dismissed as academic.



John P. Asiello
Clerk of the Court

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 11, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Xue Jie He,
Plaintiff-Appellant,
-against- M-5245
Index. No. 101247/17

Guttenberg NJ Police, Christ Hospital,
and Hudson County Prosecutor's Office,
Defendants-Respondents.

-----x
Plaintiff-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeals taken from orders of the Supreme Court, New York County, entered on or about June 22, 2018 and or about May 4, 2018, and for leave to have the appeals heard on the original record and upon a reproduced appellant's brief, and for other relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is deemed one for renewal of plaintiff's prior motion (M-3396), seeking the same relief, and is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Xue Jie He,
Plaintiff-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-3396
Index. No. 101247/17

Guttenberg NJ Police, Christ Hospital,
and Hudson County Prosecutor's Office,
Defendants-Respondents.

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, entered on or about June 22, 2018, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief, *denied*

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

→ It is ordered that the motion is denied.

ENTERED: September 25, 2018

Suzanne R. P.
CLERK

Motion for Reconsideration of
above decision

BA
6/22/18
ESUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTYPRESENT: HON. W. FRANC PERRY, III
J.S.C.PART 23

INDEX Number: 101247/2017

INDEX NO. 101247/2017MOTION DATE June 21, 2018MOTION SEQ. NO. 503

NAME, XUE JIE

GUTTENBERG NJ POLICE, CHRIST

SEQUENCE Number: 003

DISMISS COMPLAINT

The following papers, numbered 1 to , were read on this motion to dismiss the complaint

Notice of Motion/Order to Show Cause — Affidavits — Exhibits

No(s). 1

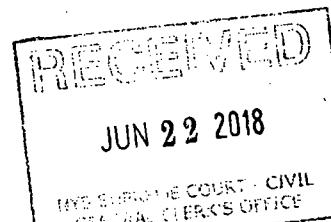
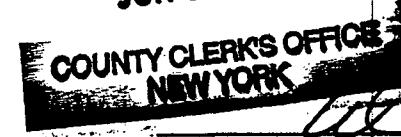
Answering Affidavits — Exhibits

No(s). 2

Replying Affidavits

No(s). Upon the foregoing papers, it is ordered that this motion is granted as to Hudson CountyProsecutor's Office. There is no jurisdiction as to movant because there exist no contact with New York State (Daimler AG v. Usman, 134 S.Ct. 746 [2014].Further, the complaint fails to state a claim cognizable at law and fails to assert any material allegations necessary to support any cause of action (Basis Yield Alpha Fund v. Goldman Sachs Group Inc., 115 A.D.3d 128 [2014].

L.

Dated: June 21, 2018FILED
JUN 22 2018J.S.C.
HON. W. FRANC PERRY, III

NON-FINAL DISPOSITION

1. CHECK ONE: CASE DISPOSED
2. CHECK AS APPROPRIATE: MOTION IS: GRANTED DENIED GRANTED IN PART OTHER
3. CHECK IF APPROPRIATE: SETTLE ORDER SUBMIT ORDER
- DO NOT POST FIDUCIARY APPOINTMENT REFERENCE

B.

EA
SN/18
JESUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT:

Perry

Justice

PART 23

Index Number : 101247/2017

INDEX NO. 101247/2017

HE, XUE JIE

MOTION DATE

GUTTENBERG NJ POLICE,CHRIST

MOTION SEQ NO. 002

Sequence Number : 002

DISMISS COMPLAINT

The following papers, numbered 1 to _____, were read on this motion to _____ dismiss the complaint

Notice of Motion/Order to Show Cause — Affidavits — Exhibits _____

[No(s)] _____

Answering Affidavits — Exhibits _____

[No(s)] _____

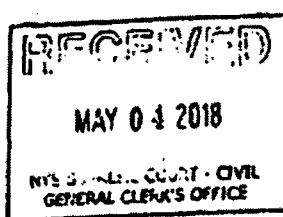
Replying Affidavits _____

[No(s)] _____

Upon the foregoing papers, it is ordered that this motion is

granted for the reasons

stated on the record on May 3, 2018.

NOTONCASEISRESPECTFULLYREFERREDTOJUSTICE
FOR THE POLICY AND REASONS:

FILED
MAY 04 2018

COUNTY CLERK'S OFFICE
NEW YORK

Dated: 5/3/18

W.P.

HON. W. FRANC PERRY, III

J.S.C.

1. CHECK ONE: CASE DISPOSED NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: GRANTED DENIED GRANTED IN PART OTHER
3. CHECK IF APPROPRIATE: SETTLE ORDER SUBMIT ORDER
- DO NOT POST FIDUCIARY APPOINTMENT REFERRED

C.

EA
5/4/18
E

**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY**

PRESENT: Perry

PART 23

Index Number : 101247/2017

Index No. 101247/17

HE, XUE JIE

MOTION DATE

vs
GUTTENBERG NJ POLICE,CHRIST

MOTION SEQ. NO. 001

Sequence Number : 001

DISMISS COMPLAINT

The following papers, numbered 1 to , were read on this motion tofor dismiss the complaint

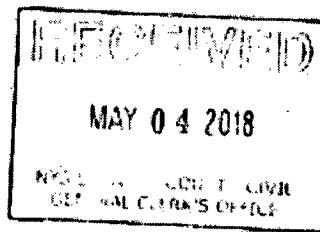
Notice of Motion/Order to Show Cause — Affidavits — Exhibits No(s).

Answering Affidavits — Exhibits No(s).

Replying Affidavits No(s).

Upon the foregoing papers, it is ordered that this motion is granted For the Reasons
Stated on the record on May 3, 2018.

NOTICE IS RESPECTFULLY REFERRED TO JUSTICE
FOR THE FOLLOWING REASON(S):



FILED

MAY 04 2018

COUNTY CLERK'S OFFICE
NEW YORK

Dated: 5/3/18

W.F.P.
HON. W. FRANC PERRY, III, J.S.C.

NON-FINAL DISPOSITION

1. CHECK ONE: CASE DISPOSED NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: GRANTED DENIED GRANTED IN PART OTHER
3. CHECK IF APPROPRIATE: SETTLE ORDER SUBMIT ORDER
- DO NOT POST FIDUCIARY APPOINTMENT REFERENCE
- D.