

**Supreme Court of the State of New York  
Appellate Division, First Judicial Department**

Justice Presiding,

PRESENT: Hon. Barbara R. Kapnick

Cynthia S. Kern

Lizbeth González

Martin Shulman,

Justices.

The Church of Jesus Motion No. 2021-00028

Christ of Latter-Day Saints, Index No. 101049/19

Servant: Xiu Jian Sun, The Case No. 2020-03564

Spiritual Adam,

Plaintiffs-Appellants,

-against-

Northwell Health, Long Island

Jewish Medical Center,

Defendants-Respondents.

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about January 06, 2020,

And an order of this Court, entered October 8, 2020 (M-2770), having denied plaintiffs' motion to vacate the dismissal of the appeal, for an extension of time in which to perfect same, for leave to prosecute the appeal as a poor person, and for related relief,

And plaintiffs-appellants having again moved to vacate the dismissal of the appeal, for leave to prosecute said appeal as a poor person, for the assignment of counsel, and for related 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, deemed one for reargument of this Court's prior order entered on October 8, 2020 (M-2770), is denied.

ENTERED: February 2, 2021

Susanna Molina Rojas  
Susanna Molina Rojas  
Clerk of the Court

Supreme Court of the State of New York  
Appellate Division, First Judicial Department

### Justice Presiding,

Present – Hon. David Friedman,  
Barbara R. Kapnick  
Cynthia S. Kern  
Lizbeth González  
Martin Shulman,

## Justices.

The Church of Jesus Christ of Latter-Day Saints, Servant: Xiu Jian Sun, The Spiritual Adam. Motion No. 2770 Index No. 101049/19 Case No. 2020-03564

Plaintiffs-Appellants,

-against-

Northwell Health, Long Island

Jewish Medical Center,

### Defendants-Respondents.

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about January 06, 2020, and plaintiff Xiu Jian Sun, The Spiritual Adam, having moved for leave to prosecute said appeal as a poor person, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief; and for an order vacating the dismissal of the aforesaid appeal and for an extension of time in which to perfect the appeal,

A4

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: October 08, 2020

Susanna Molina Rojas  
Susanna Molina Rojas  
Clerk of the Court

101049/2019 ORDER filed 1/6/2020 page 1 of 1

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

**PRESENT: Hon. Carol R. Edmead**  
Justice **PART 35**

\_\_\_\_\_  
X  
Xiu Jian Sun INDEX NO. 101049/19  
MOTION DATE \_\_\_\_\_  
MOTION SEQ NO. \_\_\_\_\_  
-v- FILED  
Northwell Health, et. Al. JAN 6 2020  
\_\_\_\_\_  
X COUNTY CLERK'S  
OFFICE NEW YORK

The following papers, numbered 1 to \_\_\_\_\_,

were read on this motion to/for \_\_\_\_\_

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  
motion is**

The complaint in this action seeks a “[t] rial with  
god's law” and to” prevent insult and unfair behavior.”

The complaint also makes various religious statement that are not correlated with any alleged conduct by defendants Northwell Health and Long Island Medical Center (Defendants). he court notes that Plaintiff Xiu Jian Sun, who refers to himself as the Spiritual Adam, as well as The Church of Jesus Christ of Latter-day saints Servant, has brought similar in Nassau County and federal court.

Pursuant to the "So-ordered" transcript (Court Reporter, Deborah Salzman), it is

ORDERED that defendants' Northwell Health and Long Island Medical Center' s (Respondents). oral application to dismiss the complaint with prejudice is granted; and it is further

ORDERED that Plaintiff is precluded from commencing any actions in New York Country purporting to represent the interests of The Church of Jesus Christ of Latter-day saints.

This result is required by three factors. First, Plaintiff has no standing to act on behalf of nominal plaintiff The Church of Jesus Christ of Latter-day saints. Plaintiff presents no evidence that he has authority to represent the Church of Jesus Christ of Latter-day saints. Second, the complaint fails to state a cause of action that may by the subject of a judicial

B3

determination. Instead, it invokes religious exhortations. Third, plaintiff 's claims cannot be challenged in a judicial setting, as said claims are purported to come from "A Higher power."

This is not belittle or belie the veracity or sincerity of plaintiff 's claims, it is just to say the court lacks both personal and subject matter jurisdiction over said claims.

Dated: 1/6/2020

Carol R. Edmead J.S.C.

**HON. CAROL R. EDMEAD J.S.C.**

CHECK ONE: .....  CASE DISPOSED

NON-FINAL DISPOSMON

CHECK AS APPROPRIATE: .... MOTION IS:

GRANTED,  DENIED,

GRANTED IN PART,  OTHER

CHECK IF APPROPRIATE:  SETTLE ORDER

SUBMIT ORDER,  DO NOT POST

FIDUCIARY APPOINTMENT,

REFERENCE

Printed: 6/22/2020