

SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK

Present:

HON. GEORGE R. PECK

Supreme Court Justice

x TRIAL/IAS, PART 21
NASSAU COUNTY

JAMES COLL,

Plaintiff,

INDEX NO. 2598-2016

MOTION SEQ. 001

MOTION DATE 8-25-16

-against-

**NYS COMMISSION ON LEGISLATIVE;
JUDICIAL AND EXECUTIVE COMPENSATION;
NYS LEGISLATURE; NYS GOVERNOR,**

Defendants.

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The plaintiff, James Coll, by means of Summons and Complaint brings this action against The New York State Commission on Legislative, Judicial and Executive Compensation, The New York State Legislature and The New York State Governor to declare that the Commission on Legislative, Judicial and Compensation acted in an unconstitutional manner.

The court has examined the opposition papers of the Attorney General and credits the factual assertions and legal conclusions contained therein accordingly, the motion to dismiss is GRANTED.

Although this court has a financial interest in the outcome of this case, recusal is not necessary because every New York State Supreme Court Justice would have the same interest.

Dated: September 1, 2016
Mineola, New York


HONORABLE GEORGE R. PECK, J.S.C.