

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

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SABRAIL DAVENPORT, as Administrator of the
Estate of JARED CALVIN LLOYD,

Index No.:

Petitioner,

-against-

**PETITION PURSUANT
TO GENERAL MUNICIPAL
LAW § 50-e(5)**

VILLAGE OF SPRING VALLEY,

Respondent.

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TO THE SUPREME COURT OF THE STATE OF NEW YORK,
COUNTY OF ROCKLAND:

The Petitioner, SABRAIL DAVENPORT, as Administrator of the Estate of Jared Calvin Lloyd, complaining of Respondent, VILLAGE OF SPRING VALLEY, respectfully alleges:

1. That Petitioner SABRAIL DAVENPORT was appointed the administrator of the Estate of JARED CALVIN LLOYD on January 19, 2022.
2. This special proceeding is brought pursuant to General Municipal Law § 50-e(5), for the purpose of obtaining an Order permitting Petitioner to serve a late notice of claim upon Respondent, VILLAGE OF SPRING VALLEY, and deeming the Notice of Claim served upon the VILLAGE OF SPRING VALLEY on January 28, 2022, served *nunc pro tunc*.
3. On March 23, 2021, JARED CALVIN LLOYD, a firefighter, was responding to a fire at the Evergreen Court Home for Adults assisted living facility, 65 Lafayette Street, Spring Valley, New York, when he became trapped in the burning building and perished in the flames.

4. Petitioner claims that the Respondent caused and contributed to the unsafe conditions of the Evergreen Court facility, resulting in JARED CALVIN LLOYD's personal injury and wrongful death.

5. A Notice of Claim for Petitioner's wrongful death, survival action, all common law claims, and statutory damages allowed by law, including but not limited to GML § 205, could not be timely filed due to delay in the appointment of a guardian for the infant distributee and subsequent administration of JARED CALVIN LLOYD's estate.

6. The Affirmation of Charles E. Green, Esq. is attached hereto in support of this Petition.

7. No previous application for the relief herein prayed for has been made.

WHEREFORE, for the foregoing reasons it is respectfully requested that this Court issue an Order permitting Petitioner to serve a late notice of claim on the Respondent; and for such other and further relief as to this Court may seem just and proper.

Dated: New York, New York
February 2, 2022

Yours, etc.,

FRIEDMAN, LEVY, GOLDFARB & GREEN, P.C.

By: 

CHARLES E. GREEN, ESQ.
Attorneys for Petitioner
250 West 57th Street, Suite 1619
New York, NY 10107
(212) 307-5800