

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

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IN THE MATTER OF THE APPLICATION OF SAMY FELIZ, MERY VERDEJA, ASHLEY VERDEJA, JULIE AQUINO, AND JUSTICE COMMITTEE, INC.,

NOTICE OF MOTION TO DISMISS THE PETITION

Petitioners, Index # 163646/2025

For a Judgment and Order Pursuant to Article 78 of the Civil Practice Law and Rules

-against-

JESSICA TISCH, in her official capacity as the Commissioner of the New York City Police Department, NEW YORK CITY POLICE DEPARTMENT, and LIEUTENANT JONATHAN RIVERA,

Defendants.

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PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law in Support of Respondents’ Cross-Motion to Dismiss the Petition and upon all the pleadings, papers, and proceedings, heretofore had herein, Respondents, JESSICA TISCH, in her official capacity as the Commissioner of the New York City Police Department, NEW YORK CITY POLICE DEPARTMENT, and LIEUTENANT JONATHAN RIVERA (collectively, “Respondents”), will move this Court, New York County Supreme Court, located at 60 Centre Street, New York, NY 10007, on the 23rd day of January, 2026, at 9:30 a.m., or soon thereafter as counsel may be heard, for an Order pursuant to Sections 7804(f) and 3211(a)(3) and (7) of the Civil Practice Law and Rules (“CPLR”) dismissing the Verified Petition on the grounds that Petitioners are without standing and for failure to state a cause of action, and in the alternative, transfer to the Appellate Division, First Department for determination and disposition pursuant to CPLR 7804(g).

PLEASE TAKE FURTHER NOTICE THAT in the event of a denial of this cross-motion to dismiss, in whole or in part, Respondents reserve their right, pursuant to Section

7804(f) of the CPLR, to serve and file a verified answer to the Petition and respectfully request 30 days from the date of service of the order with notice of entry to serve and file their verified answer.

PLEASE TAKE FURTHER NOTICE THAT pursuant to CPLR 2214(b), answering papers, if any, are required to be served upon the undersigned so as to be received at least seven days before the return date of this motion.

Dated: New York, New York
January 13, 2026

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