

1627

1971

SUPREME COURT

Mrs. Appl. of Conn.
Lawrence P. Muller

~~Handwritten scribbles~~

SUPREME COURT OF THE STATE OF NEW YORK
FIRST JUDICIAL DEPARTMENT
MENTAL HEALTH INFORMATION SERVICE

SIMON ROSENZWEIG
DIRECTOR

BRONX STATE HOSPITAL
1800 WATERS PLACE
BRONX, NEW YORK 10461
621-6000 EXT. 263
792-0444

February 27, 1975

Fred Samuel, Esq.
248 W. 139th Street
New York, N. Y. 10030

Re: Lawrence Mullan

Dear Mr. Samuel:

This is to inform you that Mr. Lawrence Mullan has been discharged from Bronx Psychiatric Center pursuant to the attached Order of Judge Morris Spector of the Bronx County Supreme Court.

As I am sure you are aware, Section 78.07(g) of the Mental Hygiene Law requires that the Committee of a person released from a state psychiatric facility, upon receiving notice from its director that the patient has been released and is "able adequately to conduct his personal and business affairs", must submit a final accounting and "apply for his discharge as such committee and for an order directing the restoration of the patient's property to such patient."

If I can be of any further assistance do not hesitate to call or write. Thank you for your anticipated prompt attention to this matter.

Very truly yours,

MENTAL HEALTH INFORMATION SERVICE


Jay Bloomfield

JB:br

1627/71
2/29
6

FILED
OCT 27 1975
NEW YORK COUNTY CLERK

At a Special Term, Part I, of the
Supreme Court of the State of New York,
held in and for the County of Bronx,
at the County Court House, 851 Grand
Concourse, in the Borough of Bronx,
City and State of New York, on the 18
day of August, 1975

P R E S E N T :

HONORABLE ALFRED J. CALLAHAN
JUSTICE

In the Matter of the Estate of

Index No. 1627-71

LAWRENCE P. MULLAN

A Former Incompetent Person

Upon reading and filing the annexed affirmation of FRED SAMUEL,
dated the 12th day of August 1975, the annexed affidavit of Hugh F. Butts, M.D.,
Director of Bronx Psychiatric Center, sworn to on April 8, 1975 and stating
therein that the former incompetent is able to adequately conduct his personal
and business affairs; upon the Receipt and Settlement Release of
LAWRENCE P. MULLAN, sworn to on August 15, 1975, and upon all the proceedings
heretofore had herein, and it appearing therefrom to the satisfaction of the
Court that FRED SAMUEL, as Committee, has complied with all of the provisions
and has fully restored to the former incompetent person, LAWRENCE P. MULLAN,
all of the property remaining in his hands as said Committee and that the
said LAWRENCE P. MULLAN is fully competent to manage his person and property.

NOW, on motion of FRED SAMUEL, the Committee of LAWRENCE P. MULLAN,
it is

FURTHER ORDERED that the Receipt and Settlement Release herein be
and is allowed in lieu of a final accounting by the Committee, and it is

FURTHER ORDERED and adjudged that the former incompetent,
LAWRENCE P. MULLAN, be and hereby is declared competent to manage his person
and property, and it is,

FURTHER ORDERED, that FRED SAMUEL be and he hereby is discharged from all liability and responsibility as Committee of the person and property of LAWRENCE P. MULLAN, and the liability of the Fidelity and Deposit Company of Maryland, as surety on the bond of said Committee herein, is hereby terminated and the surety bond is hereby cancelled.

ENTER



J.S.C.

SUPREME COURT: BRONX COUNTY

In The Matter of The Estate of

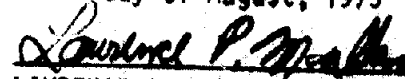
LAWRENCE P. MULLAN

A Former Incompetent Person

RELEASE OF COMMITTEE
Index No. 1627-73

I, LAWRENCE P. MULLAN, residing at 212 West Kingsbridge Road, Borough of Bronx, State of New York, having been determined to be competent to manage myself and my own affairs and estate by the Bronx Psychiatric Center, have this day received the sum of \$30,010.82, from FRED SAMUEL, the Committee of my person and property and do hereby acknowledge that the said FRED SAMUEL has fully and satisfactorily accounted to me for all money and property held by him as such Committee, and I do by these presents for myself, my heirs, assignees and legal representatives, release and fully discharge the said Committee and his assignees and successors of and from any and all liability to me by reason of said committeeeship; and I do hereby authorize the said Committee to file this release in said court as conclusive evidence of such release and discharge.

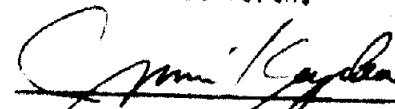
WITNESS my hand and seal this 15 day of August, 1975



LAWRENCE P. MULLAN, Former Incompetent

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS:

On this 15 day of August 1975, before me personally came LAWRENCE P. MULLAN, to me known to be the same person described in and who executed the foregoing instrument in writing, and to me duly acknowledged that he executed the same for the purpose therein set forth.



NOTARY PUBLIC

IRWIN KAPLAN
Notary Public, State of New York
No. 01 12/1975
Qualified in Westchester County
Created in Bronx County
Commission expires March 30, 1977

SUPREME COURT: BRONX COUNTY

In the Matter of the Estate of

Index No. 1627-71

LAWRENCE P. MULLAN

A Former Incompetent Person

FRED SAMUEL affirms under the penalties of perjury and pursuant to CPLR 2106 that the following facts are true:

1. He is an attorney and counsellor at law duly admitted to practice in the State of New York, and that he is the duly appointed and qualified Committee of the person and property of LAWRENCE P. MULLAN, with offices at 248 West 139th Street, New York, New York 10030.
2. By an order of this Court dated May 2, 1973, I was appointed Committee of the person and property of LAWRENCE P. MULLAN and thereafter duly qualified as such Committee.
3. That annexed hereto is an affidavit by Hugh F. Butts, M.D., the Director of Bronx Psychiatric Center, sworn to on April 8, 1975, indicating that LAWRENCE P. MULLAN was discharged from said institution on February 26, 1975 and that he is competent to manage his person and property.
4. Annexed hereto is a Receipt and Settlement Release from the former incompetent person, LAWRENCE P. MULLAN, which was duly notarized on the 15th day of August, 1975.
5. That at the time the undersigned was appointed the Committee herein, he received \$31,279.62 in cash from the former Committee which said amount represents the entire estate of the incompetent. That this amount has always been on deposit in a savings account at Manufacturers Hanover Trust Company, under Account No. 15359, in the name of the undersigned as Committee for the former incompetent. That the said account has realized interest in the amount of \$2,210.26, making a total of \$33,489.88. That there has been withdrawn therefrom and paid to the incompetent for his personal use the sum of

\$1,250.00, together with the sum of \$345.00 which has been paid to the Fidelity and Deposit Company of Maryland for premiums for the years 1973, 1974 and 1975. That in addition the sum of \$1,180.00 was paid to Dr. John C. Kliever of 23 West 73rd Street, New York, for some alleged twenty-six treatments given to the former incompetent between November 26, 1974 and May 21, 1975, together with three visits to Bronx State Hospital, leaving a balance of \$30,010.82 which has been paid over to the former incompetent as evidenced by the Receipt and Settlement Release by the former incompetent which is annexed hereto.


6. That the undersigned has calculated his compensation as Committee as follows:

2% of the first \$25,000.00 of income	\$ 500.00
1.75% of the remaining \$8,489.88 of income ...	148.56
2% of total expenditures of \$2,775.00	55.50
Total compensation to the Committee	704.06

7. That the undersigned has paid himself as Committee the sum of \$704.06. That the sum of \$30,010.82 has been turned over to the former incompetent as evidenced by the Receipt and Settlement Release.

8. That the undersigned has made no previous application for the relief prayed for herein.

WHEREFORE, your deponent respectfully prays that an order be made and entered herein declaring the former incompetent, LAWRENCE P. MULLAN, judicially competent to adequately manage his personal and business affairs; discharging FRED SAMUEL as Committee of the person and property of LAWRENCE P. MULLAN and terminating the liability of the Fidelity and Deposit Company of Maryland as surety on the Committee's bond; and for such other and further relief as to this Court may seem just and proper.


FRED SAMUEL

Dated August 12, 1975



State of New York
Department of Mental Hygiene

BRONX PSYCHIATRIC CENTER
1880 Waters Place
Bronx, New York 10461

LEON GALEMAN, M.D.
DEPUTY DIRECTOR
MICHAEL GALEWITZ
DEPUTY DIRECTOR
EMANUEL LIPKOWITZ, M.D.
HOSPITAL ADMINISTRATOR

April 8, 1975

Mr. Fred Samuel
248 West 139 Street
New York, N. Y. 10030


Re: Lawrence Mullan

Dear Mr. Samuel:

We are in receipt of your letter regarding the above named patient.

Mr. Mullan is presently able to adequately conduct his personal and business affairs. He was discharged from Bronx Psychiatric Center on February 26, 1975.

Very sincerely yours,


Hugh F. Butts, M.D.
Director

HPB/al

STATE OF NEW YORK
COUNTY OF BRONX

Sworn to and subscribed before me on this 8th day of April, 1975
as true and correct.



PHILIP SCHWARTZ
Notary Public, State of New York
No. 01 8876000
Qualified in Bronx County
Ter.

At a Special Term, Part I of the Supreme Court, held in and for the County of Bronx, at the Court House thereof, 851 Grand Concourse, in the Borough of Bronx, City of New York, on the 3rd day of May, 1974.

P R E S E N T:

HON. MORRIS E. SPECTOR
JUSTICE

-----X
In the Matter of the Judicial Settlement of the Final Account of SIDNEY EISEN, Committee of the Person and Property of

ORDER DISCHARGING COMMITTEE
AND SURETY

LAURENCE P. MULLAN,

Index No. 1627/1971


a patient at Matteawan State Hospital
-----X

Upon the annexed affidavit of SIDNEY EISEN, duly sworn to the 30th day of April, 1974, from which it appears that the Committee has complied with the provisions of the order dated August 11, 1972, requiring the payment by the Committee of certain sums in accordance therewith,

NOW, on motion of SIDNEY EISEN, the former Committee of the above named patient, it is

ORDERED, that SIDNEY EISEN is freed and discharged from all liability and responsibility as Committee of the person and property of LAURENCE P. MULLAN, a patient at Matteawan State Hospital, as to all matters embraced in the account herein, and the surety on his bond, FIDELITY AND DEPOSIT COMPANY OF MARYLAND, is likewise discharged.

E N T E R,



J. S. C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
In the Matter of
LAURENCE P. MULLAN
a Patient at
Matteawan State Hospital
-----X

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

SIDNEY EISEN, an attorney admitted to practice in the Courts of the State of New York, affirms under the penalties of perjury and pursuant to CPLR 2106 that the following facts are true:

That heretofore and on or about the 16th day of June, 1972, an order was duly made and entered in this proceeding wherein SELIG LENEFSKY, Esq. of 277 Broadway, New York, New York, was appointed Substitute Committee of the person and property of the above named patient. That thereafter and on July 18, 1972, Mr. GOTTESFELD, an attorney associated with the said SELIG LENEFSKY advised me by telephone that SELIG LENEFSKY was not interested in accepting the appointment of the said Committee, and therefore will not qualify.

Subsequently, in or about September, 1972, I met SELIG LENEFSKY, Esq. in Borough Hall as he was about to enter the Supreme Court Building. I had known Mr. LENEFSKY for several years, having met him in the course

ORDERED that the bond heretofore filed by
the Committee in the sum of \$25,000.00, pursuant to Article
5A of the Mental Hygiene Law, shall remain the bond of the
Substitute Committee, and it is further

ORDERED, that upon the filing of the said
designation, a commission in due form of law shall be is-
sued to such Substitute Committee by the Clerk of this Court.

E N T E R,

ART
J. S. C.

E N T E R,

ars
J. S. C.

ney General of the State of New York and attorney for the said hospital, dated March 29, 1972, the exhibits consisting of a letter from the patient and a reply letter thereto; and after hearing SIDNEY EISEN, the Committee pro se in support of the said motion, and no one appearing in opposition thereto, and after due deliberation having been had thereon, and the opinion of the Court having been filed, it is

ORDERED, that the motion of the Committee for leave to resign and to apply for a judicial settlement of his account, be and the same is hereby granted, and it is further

ORDERED, that SIDNEY EISEN, ESq., the Committee herein, be and he is hereby granted leave to resign as Committee of the person and property of the patient named herein; and to file his Final Account and to move for a judicial settlement of his Final Account within thirty (30) days from the date of the entry of the within order, and it is further

pro
se

ORDERED, that FRED SAMUEL, Esq.
NY.C., NY.
residing at
County of New York, State of New York, be and is hereby appointed Substitute Committee of the person and property of the said patient, and the said Substitute Committee is hereby directed to file in the office of the Clerk of the said County of Bronx, his designation of the Clerk of this Court, pursuant to Article 5A of the Mental Hygiene Law, and it is further

At a Special Term, Part I of the Supreme Court of the State of New York, held in and for the County of Bronx, at the County Court House, Borough of Bronx, on the 16th day of June, 1972.

P R E S E N T :

HON. ANDREW R. TYLER,

JUSTICE

-----X

In the Matter of

LAURENCE P. MULLAN

a Patient at

Matteawan State Hospital

ORDER

Index No. 1627/1971

-----X

SIDNEY EISEN, the Committee of the Person and Property of the above named patient, having moved by an order to show cause, made and entered on the 23rd day of March, 1972, for an order granting him leave to resign as Committee of the above named patient, leave to apply for a judicial settlement of his account of this proceeding and for the appointment of a Substitute Committee, and for such other and further relief as to this Court may seem just and proper,

NOW, on reading and filing the order to show cause dated March 23, 1972, the petition of SIDNEY EISEN, Esq., the Committee herein, duly verified the 22nd day of March, 1972, with proof of due service thereof upon DR. W. C. JOHNSON, Director of the Matteawan State Hospital, LAURENCE P. MULLAN, the patient herein, the Attorney General of the State of New York, the Fidelity and Deposit Company of Maryland, the surety, and MIRIAM M. ROBINSON, Esq., the Guardian ad Litem, in support of the said application; the notice of appearance of the Attor-

At a Special Term, Part I of the
Supreme Court of the State of New
York, held in and for the County
of Bronx, at the County Court
House, Borough of Bronx, on the
9th day of April, 1973

P R E S E N T :

HONORABLE ANDREW R. TYLER,

Justice

-----X

In the Matter of

LAURENCE P. MULLAN

Index No. 1627/1971

a Patient at

Matteawan State Hospital

-----X

Upon reading and filing the annexed af-
firmation of SIDNEY EISEN, Esq., affirmed the 5th day of
April, 1973, and upon the proceedings heretofore had here-
in, it is

Upon motion of SIDNEY EISEN, Esq.,

ORDERED, that the order made herein on
the 16th day of June, 1972, appointing a substitute com-
mittee, be and the same hereby is resettled so that the
said order shall read as follows:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----x
In the Matter of the Judicial Settlement
of the Final Account of SIDNEY EISEN,
Committee of the Person and Property of

LAURENCE P. MULLAN,

a patient at Matteawan State Hospital
-----x

AFFIDAVIT

Index No. 1627/1971

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

SIDNEY EISEN, being duly sworn, deposes and
says:

I am the former Committee of the above named
patient. I make this affidavit for the purpose of obtain-
ing a discharge for said Committee, and for the FIDELITY AND
DEPOSIT COMPANY OF MARYLAND, the surety on my bond in the
within matter.

On August 11, 1972, an order was filed in the
office of the Clerk of the County of Bronx, a copy of which
is annexed hereto and made a part hereof as Exhibit "A".
Pursuant to said order, the Committee was required to make
certain payments.

On the 9th day of April, 1973, an order was
duly made and entered by Hon. ANDREW R. TYLER, appointing
FRED SAMUEL, Esq. of 248 West 139th Street, New York, New
York, Substitute Committee in place and in stead of your

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----x
In the Matter of the Judicial Settlement
of the Final Account of SIDNEY EISEN,
Committee of the Person and Property of

LAURENCE P. MULLAN,

a patient at Matteswan State Hospital
-----x

AFFIDAVIT

Index No. 1627/1971

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

SIDNEY EISEN, being duly sworn, deposes and

says:

I am the former Committee of the above named patient. I make this affidavit for the purpose of obtaining a discharge for said Committee, and for the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, the surety on my bond in the within matter.

On August 11, 1972, an order was filed in the office of the Clerk of the County of Bronx, a copy of which is annexed hereto and made a part hereof as Exhibit "A". Pursuant to said order, the Committee was required to make certain payments.

On the 9th day of April, 1973, an order was duly made and entered by Hon. ANDREW R. TYLER, appointing FRED SAMUEL, Esq. of 248 West 139th Street, New York, New York, Substitute Committee in place and in stead of your

deponent. Thereafter, on July 13, 1973, said FRED SAMUEL, Esq., the Substitute Committee, filed his designation of the Clerk of the Court, on July 20, 1973 filed his bond in the sum of \$25,000.00, and on November 27, 1973 received his commission.

Subsequently, on December 13, 1973, your deponent delivered a check to the said FRED SAMUEL, Esq., Substitute Committee of the above named patient, dated December 10, 1973, in the sum of \$10,960.34, which was deposited by him on February 13, 1974, a copy of which check and receipt is annexed hereto and made part hereof.

It is respectfully pointed out to the Court that the order annexed hereto and made part hereof indicated the balance on hand on the date of the said order was \$11,281.67. Your deponent acknowledges receipt of the sum of \$1,056.87 as and for statutory commissions and legal services, leaving a balance on hand in the sum of \$10,224.80. Due to the accumulation of interest from March 31, 1972 to November 30, 1973, the balance on hand increased to \$10,960.34, which is the amount turned over to the Substitute Committee, as indicated by the receipt and check annexed hereto.

WHEREFORE, deponent respectfully requests that he be discharged and freed from all liability and responsibility as the Committee of the person and property of LAURENCE P. MULLAN, a patient at Matteawan State Hospital, and that the surety company bond be cancelled and discharged.

Sworn to before me this
30th day of April, 1974

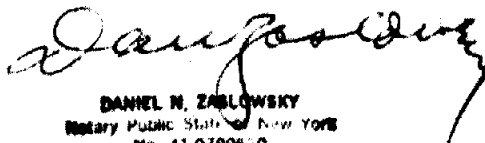

DANIEL N. ZABLOWSKY
Notary Public State of New York
No. 41-97895-0
Qualified in Queens County
Commission Expires 12/31/76 76

EXHIBIT A

At a Special Term, Part I of the
Supreme Court of the State of New
York, held in and for the County of
Bronx, at the County Court House,
Bronx, New York, on the 11th day
of August, 1972

P R E S E N T :

HON. ABRAHAM J. GELLINOFF,

JUSTICE

-----x
In the Matter of

LAURENCE P. MULLAN,

a Patient at

Matteawan State Hospital
-----x

ORDER

Index No. 1627/1971

SIDNEY EISEN, Committee of LAURENCE P. MULLAN,
a patient at Matteawan State Hospital, having brought on a
motion to judicially settle his final account, and for other
relief,

NOW, on reading and filing the notice of motion
dated May 15, 1972; the petition of SIDNEY EISEN, verified
May 15, 1972; the affirmation of SIDNEY EISEN, dated May 15,
1972; and the final account of SIDNEY EISEN, verified the
9th day of May, 1972, with proof of due service thereof, all
submitted in support of the motion; the order of Hon. ANDREW
R. TYLER, dated April 28, 1972, appointing MIRIAM M. ROBINSON,
Esq., as Guardian-at-Litem, and upon the report of the said
MIRIAM M. ROBINSON, Esq., Guardian-ad-Litem dated July 11,

1972; the letter of MIRIAM R. ROBINSON, dated the 4th day of August, 1972, and the said motion having duly come on to be heard on the 31st day of May, 1972; and SIDNEY EISEN, Committee pro se, appearing in support of the said motion, and Hon. LOUIS J. LEFKOWITZ, by LOUIS FRANK, appearing and submitting, and no one else appearing in opposition thereto, and due deliberation having been had thereon, and upon filing the opinion of the Court, it is

ORDERED, that the motion to settle the final account of SIDNEY EISEN, as Committee of LAURENCE P. MULLAN, be and the same is hereby granted, and the said account is settled as follows:

Principal as per Schedule A-----	\$11,311.63	
Income as Per Schedule A-1-----	110.04	
		\$11,421.67
Disbursements as per Schedule B-----		140.00
Balance on hand-----		<u>\$11,281.67</u>

consisting of the following:

Atlantic Bank of N. Y. 960 Avenue of Americas New York, New York Savings account-----	\$10,610.04	
Chemical Bank 265 Broadway New York, New York Balance in checking account-----	671.63	
		<u>\$11,281.67</u>

and it is further

ORDERED, that SIDNEY EISEN, as Committee, be and he is hereby authorized and directed to make the following payments:

To: SIDNEY EISEN - Statutory commissions	\$456.87
To: SIDNEY EISEN, Esq., for legal services	\$600.00
To: MIRIAM R. ROBINSON, Guardian ad Litem waives compensation	None

and it is further

ORDERED that the balance remaining shall be paid over to SELIG LENEFSKY, Esq. of 277 Broadway, New York City, New York, Substitute Committee, upon his filing /the a bond in the sum of \$25,000 designation of the Clerk of this Court, the issuance of the commission in due form of law, pursuant to Article 5A of the Mental Hygiene Law, and it is further

ORDERED, that upon making the payments hereinbefore directed to be made, and filing the receipts or cancelled checks for the same, that SIDNEY EISEN and FIDELITY & DEPOSIT CO. OF MARYLAND shall be discharged from any and all further liability as to all matters embraced in the final account filed herein, and an order to that effect may be entered without further notice.

E N T E R ,

A. J. G.
J. S. C.

SIDNEY EISEN
COUNSELLOR AT LAW

WORTH 6-1486
1487

401 BROADWAY
NEW YORK, N.Y. 10013

December 13, 1973

Re: Matter of Laurence P. Mullan

Receipt is hereby acknowledged from Sidney Eisen, Esq., the Substituted Committee in the above matter, of check in the sum of \$10,960.34 dated December 10, 1973, payable to the order of Fred Samuel, Esq., as Committee of Person and Property of Laurence P. Mullan.

FRED SAMUEL

No. 4 1-12 58
176

December 10, 1973

PAY TO THE ORDER OF **FRED SAMUEL, Esq., as Committee of Person and Property of Laurence P. Mullan** \$10,960.34

Ten thousand nine hundred sixty and 34/100 DOLLARS

CHEMICAL BANK
300 BROADWAY (GRAND CENTRAL STATION)
NEW YORK, N.Y. 10014

0 9 8 4 2 1 2 3 4 5 6 7 8 9 0

Sidney Eisen, Esq., as Comptroller of Person and Property of Laurence P. Mullan

⑆0210⑉0012⑆ 033⑉252785⑆

*For Deposit
Only to Account
of Fred Samuel
Esq as Committee
of Person & Property
of Laurence P.
Mullan*

15359

FE

At a Special Term, Part I of the
Supreme Court of the State of New
York, held in and for the County
of Bronx, at the County Court
House, Borough of Bronx, on the
9th day of April, 1973

P R E S E N T :

HONORABLE ANDREW R. TYLER,

Justice

-----X

In the Matter of

LAURENCE P. MULLAN

Index No. 1627/1971

a Patient at

Mattawan State Hospital

-----X

Upon reading and filing the annexed af-
firmation of SIDNEY EISEN, Esq., affirmed the 5th day of
April, 1973, and upon the proceedings heretofore had here-
in, it is

Upon motion of SIDNEY EISEN, Esq.,

ORDERED, that the order made herein on
the 16th day of June, 1972, appointing a substitute com-
mittee, be and the same hereby is resettled so that the
said order shall read as follows:

At a Special Term, Part I of
the Supreme Court of the State of
New York, held in and for the County
of Bronx, at the County Court House,
Borough of Bronx, on the 16th day
of June, 1972.

P R E S E N T :

HON. ANDREW R. TYLER,

JUSTICE

-----x

In the Matter of

LAURENCE P. MULLAN

a Patient at

Matteawan State Hospital

ORDER

Index No. 1627/1971

-----x

SIDNEY EISEN, the Committee of the Person
and Property of the above named patient, having moved by an
order to show cause, made and entered on the 23rd day of
March, 1972, for an order granting him leave to resign as
Committee of the above named patient, leave to apply for a
judicial settlement of his account of this proceeding and
for the appointment of a Substitute Committee, and for such
other and further relief as to this Court may seem just and
proper,

NOW, on reading and filing the order to show
cause dated March 23, 1972, the petition of SIDNEY EISEN, Esq.,
the Committee herein, duly verified the 22nd day of March,
1972, with proof of due service thereof upon DR. W. C. JOHNSON,
Director of the Matteawan State Hospital, LAURENCE P. MULLAN,
the patient herein, the Attorney General of the State of New
York, the Fidelity and Deposit Company of Maryland, the surety,
and MIRIAM M. ROBINSON, Esq., the Guardian ad Litem, in support
of the said application; the notice of appearance of the Attor-

ney General of the State of New York and attorney for the said hospital, dated March 29, 1972, the exhibits consisting of a letter from the patient and a reply letter thereto; and after hearing SIDNEY EISEN, the Committee pro se in support of the said motion, and no one appearing in opposition thereto, and after due deliberation having been had thereon, and the opinion of the Court having been filed, it is

ORDERED, that the motion of the Committee for leave to resign and to apply for a judicial settlement of his account, be and the same is hereby granted, and it is further

ORDERED, that SIDNEY EISEN, ESQ., the Committee herein, be and he is hereby granted leave to resign as Committee of the person and property of the patient named herein; and to file his Final Account and to move for a judicial settlement of his Final Account within thirty (30) days from the date of the entry of the within order, and it is further

ORDERED, that FRED SAMUEL, Esq.
NY.C., NY.

pro se
residing at
County of New York, State of New York, be and is hereby appointed Substitute Committee of the person and property of the said patient, and the said Substitute Committee is hereby directed to file in the office of the Clerk of the said County of Bronx, his designation of the Clerk of this Court, pursuant to Article 5A of the Mental Hygiene Law, and it is further

ORDERED that the bond heretofore filed by the Committee in the sum of \$25,000.00, pursuant to Article 5A of the Mental Hygiene Law, shall remain the bond of the Substitute Committee, and it is further

ORDERED, that upon the filing of the said designation, a commission in due form of law shall be issued to such Substitute Committee by the Clerk of this Court.

E N T E R,

ART
J. S. C.

E N T E R,

ARS
J. S. C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
In the Matter of
LAURENCE P. MULLAN
a Patient at
Matteawan State Hospital
-----X

STATE OF NEW YORK)
 ; SS.:
COUNTY OF NEW YORK)

SIDNEY EISEN, an attorney admitted to practice in the Courts of the State of New York, affirms under the penalties of perjury and pursuant to CPLR 2106 that the following facts are true:

That heretofore and on or about the 16th day of June, 1972, an order was duly made and entered in this proceeding wherein SELIG LENEFSKY, Esq. of 277 Broadway, New York, New York, was appointed Substitute Committee of the person and property of the above named patient. That thereafter and on July 18, 1972, Mr. GOTTESFELD, an attorney associated with the said SELIG LENEFSKY advised me by telephone that SELIG LENEFSKY was not interested in accepting the appointment of the said Committee, and therefore will not qualify.

Subsequently, in or about September, 1972, I met SELIG LENEFSKY, Esq. in Borough Hall as he was about to enter the Supreme Court Building. I had known Mr. LENEFSKY for several years, having met him in the course

of a litigation between our respective clients. I discussed the appointment as Committee of the person and property of the above named patient, which was offered to him pursuant to the order of this Court. He advised me that he will not accept it by reason of the fact that he is considering retiring and moving to Florida. He has categorically and unequivocally advised me that he will not accept it, and is not interested in serving as Committee in this proceeding.

Your deponent respectfully submits these facts to the Court in order for the Court to appoint a new Substitute Committee in place and stead of SELIG LEWEPISKY.

Dated: New York, New York
April 5, 1973



Sidney Eisen

At a Special Term, Part I of the
Supreme Court of the State of New
York, held in and for the County of
Bronx, at the County Court House,
Bronx, New York, on the 11 day
of ~~July~~, 1972.

August



P R E S E N T :

HON. ABRAHAM J. GELLINOFF,

JUSTICE

-----x

In the Matter of

LAURENCE P. NULLAN,

a Patient at

Matteawan State Hospital

ORDER

Index No. 1627/1971

-----x

SIDNEY EISEN, Committee of LAURENCE P. NULLAN,
a patient at Matteawan State Hospital, having brought on a
motion to judicially settle his final account, and for other
relief,

NOW, on reading and filing the notice of motion
dated May 15, 1972; the petition of SIDNEY EISEN, verified
May 15, 1972; the affirmation of SIDNEY EISEN, dated May 15,
1972; and the final account of SIDNEY EISEN, verified the
9th day of May, 1972, with proof of due service thereof, all
submitted in support of the motion; the order of Hon. ANDREW
R. TYLER, dated April 28, 1972 appointing MIRIAM M. ROBINSON,
Esq., as Guardian-ad-Litem, and upon the report of the said
MIRIAM M. ROBINSON, Esq., Guardian-at-Litem dated *June 11,*

1972; the ^{letter} ~~affidavit~~ of MIRIAM R. ROBINSON, ^{dated} ~~sworn to~~ the
 4 day of ^{August} ~~May~~, 1972, and the said motion having duly
 come on to be heard on the 31st day of May, 1972; and
 SIDNEY EISEN, Committee pro se, appearing in support of the
 said motion, and Hon. LOUIS J. LEFKOWITZ, by LOUIS FRANK,
 appearing and submitting, and no one/else appearing in opposition
 thereto, and due deliberation having been had thereon, and
 upon filing the opinion of the Court, it is

ORDERED, that the motion to settle the final
 account of SIDNEY EISEN, as Committee of LAURENCE P. MULLAN,
 be and the same is hereby granted, and the said account is
 settled as follows:

Principal as per Schedule A-----	\$11,311.63	
Income as per Schedule A-1-----	110.04	\$11,421.67
Disbursements as per Schedule B-----	140.00	
Balance on hand-----	\$11,281.67	

consisting of the following:

Atlantic Bank of N. Y. 960 Avenue of Americas New York, New York Savings account-----	\$10,610.04	
Chemical Bank 265 Broadway New York, New York Balance in checking account-----	671.63	<u>\$11,281.67</u>

and it is further

ORDERED, that SIDNEY EISEN, as Committee, be
 and he is hereby authorized and directed to make the follow-
 ing payments:

To: SIDNEY EISEN - Statutory commissions \$456.87
 To: SIDNEY EISEN, Esq., for legal services \$600.00
 To: MIRIAM R. ROBINSON, Guardian ad Litem
~~for legal services~~ \$ None
waives compensation
 and it is further

50. C

ORDERED that the balance remaining shall be paid over to SELIG LENEFKY, Esq. of 277 Broadway, New York City, New York, *to hold in the sum of \$15,000* Substitute Committee, upon his filing the designation of the Clerk of this Court, the issuance of the commission in due form of law, pursuant to Article 5A of the Mental Hygiene Law, and it is further

ORDERED, that upon making the payments hereinbefore directed to be made, and filing the receipts or cancelled checks for the same, that SIDNEY EISEN and FIDELITY & DEPOSIT CO. OF MARYLAND shall be discharged from any and all further liability as to all matters embraced in the final account filed herein, and an order to that effect may be entered without further notice.

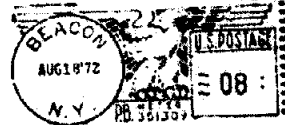
ENTER,

 J. S. d.

[Handwritten signature]

Tullan 20 - 1046

NEW YORK 12508



His Honor Justice Andrew R. Tyler
Supreme Court, Bronx County
851 Grand Concourse
Bronx, New York 10451

3271266-R

Forward To
Miss
Robinson

State of New York
DEPARTMENT OF CORRECTIONAL SERVICES

MATTEAWAN STATE HOSPITAL
Beacon, New York (12508)

AREA CODE 914-831-4800

W. C. Johnston, M. D.
Director

Departmental policy permits patients to mail confidential and sealed letters to governmental executives, courts and attorneys in view of objectives of re-socialization of patients and assistance in solution of personal and legal problems.

IF the patient writer raises a problem over which this Correctional Facility or the Department of Correctional Services has jurisdiction, you may wish to write to me or to the Commissioner of Correctional Services, Department of Correctional Services, Albany, New York 12225.

If the patient writer encloses for forwarding purposes, correspondence addressed to another person, please return same to me or to the Commissioner.

In your reply to the patient, we would appreciate it if you will limit the content to matters involving the patient's own situation, and that there be nothing else sent in these confidential letters. The reason for our concern is that since initiating this more liberal policy we have noted that contraband has been sent in to some of the institutions via this route. We know that in almost all instances it has been unintentional, but it is nonetheless serious.

Sincerely yours,

W. C. Johnston
W. C. Johnston, M.D.
Director

D

Lawrence P. Mullan #14146
Box 307 Ward G
Beacon, New York 12509
August 1, 1972.

To His Honor Andrew R. Tyler,
Justice Bronx Supreme Court

Sir:

My name is Lawrence Patrick Mullan and I am currently a patient at Matteawan State Hospital. I was appointed a committee by the Bronx Supreme Court on October 29, 1971, to care for, and procure my financial interests as long as I am a resident at this hospital. On February 3, 1972, I was informed by my committee, Mr. Sidney Eisen of 401 Broadway, New York, N.Y., that he had held several conferences with the Social Security Board, and had filed application for Social Security relief on my behalf. In the same letter, he informed me that I or the hospital should have already, or would be receiving the checks "in the very near future", and that if I failed to receive such checks, I should contact Social Security Office 109, 37 Broadway, New York, N.Y. I have written to this office on two occasions: once on April 9, 1972, once on May 3, 1972, and once on August 13, 1972. Thus far, I have received no answers whatsoever.

On March 24, 1972, I received a copy of an Order to Show Cause, filed by Mr. Eisen to the Bronx Supreme Court, and stating that he wished to be dismissed as my committee. The Order to Show Cause also informed me that I had

②

been appointed a "Guardian ad Litem": Miriam Robinson of 10 East 40th Street, New York City. The Order had been initialed by yourself.

I have written to both Miss Robinson and Mr. Eisen on a number of occasions since then, requesting information as to when I would be receiving Social Security Relief. For the past several months, sir, I have maintained a commissary account balance of zero. I myself wrote to the local Social Security Office 133 located at Poughkeepsie, and, as I have mentioned, Social Security Office 109, at 39 Broadway, New York City. I have received no funds, to date, at all. The hospital authorities do provide some essential items as food and clothing. However, some basic items such as cigarettes and writing paper can be obtained only through the commissary here at Matteawan, and this of course necessitates the possession of assets on the part of the patients.

I am writing to you now in the hopes of gaining some assistance and satisfaction. I have been, and am still presently in what can best be described as a financially desperate position. I am very much hoping that you can either execute some course of action, or suggest one that I would find possible to take, that would alleviate my present bind. I can assure you that such help would be very gratefully appreciated.

Very Respectfully Yours,
Lawrence Mullan
Lawrence Mullan

3

me to take, that would "speed things up", so to speak?
I must sincerely apologize if I have been overly
boorish in my method of request and inquiry, but as I
say, it is and has been not only a difficult, but also a
paradoxical situation for myself, for some time now. Your
aid and information would be very gratefully appreciated.

Very Respectfully Yours,
Lawrence Mullan
Lawrence Mullan

SIDNEY EISEN
COUNSELLOR AT LAW

401 BROADWAY
NEW YORK, N.Y. 10013

August 8, 1972

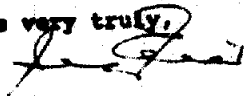
Selig Lenefsky, Esq.
277 Broadway
New York, New York 10007

Re: Matter of Laurence P. Mullan
Index No. 1627/1971

Dear Mr. Lenefsky:

Pursuant to the terms of the order made and entered by Judge Tyler on June 16, 1972, you were appointed Committee of the person and property of the above named patient. On July 18, 1972 Mr. Gottesbaum, your associate, advised me that in view of the size of the estate, he doubted whether you would accept the appointment and that he would advise me accordingly.

Might I kindly ask you to inform me as to whether you have received the commission, filed your bond, and duly qualified, so that I may turn over the assets to you. If you do not wish to accept the designation, might I suggest that you advise Judge Tyler accordingly, so that a new appointment may be made by him.

Yours very truly,


SE:B

CC.: Clerk of Special Term
Supreme Court, Bronx County

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----x
In the Matter of the Judicial Settlement of the Final Account of SIDNEY EISEN, Committee of the Person and Property of

AFFIDAVIT OF SERVICE

LAURENCE P. MULLAN,
a Patient at Matteawan State Hospital

Index No. 1627/1971

-----x
STATE OF NEW YORK)
 ; SS.:
COUNTY OF NEW YORK)

Bernice Leffert, being duly sworn, deposes and says that deponent is not a party to this action, is over twenty-one (21) years of age and resides at 401 Broadway, New York City, New York.

That on the 9th day of May, 1972, deponent served the Final Judicial Account in the within proceedings upon LOUIS J. LEFKOWITZ, Esq., Attorney General of the State of New York, and attorney for Matteawan State Hospital, at 80 Centre Street, New York, New York 10013, and upon MIRIAM M. ROBINSON, Esq., Guardian ad Litem herein, at 10 East 40th Street, New York, New York 10016, the addresses designated by said parties for that purpose, by depositing a true copy of same enclosed in postpaid properly addressed wrappers, in an official depository under the exclusive care and custody of the United States post office department within the State of New York.

Sworn to before me this
9th day of May, 1972



SIDNEY EISEN
Notary Public, State of New York
No. 30-6164600
Qualified in Nassau County
Commission Expires March 30, 1974

STATE OF NEW YORK)
CITY OF NEW YORK)SS.:
COUNTY OF NEW YORK)

SIDNEY EISEN, being duly sworn, deposes

and says:

I am the Committee of the estate of LAURENCE P. MULLAN, a patient at Matteawan State Hospital; that the foregoing inventory and account contains to the best of my knowledge and belief a full and true statement of all my receipts and disbursements on account of my ward which have come to my hands; which have been received by any other person by my authority, or since my appointment on November 23, 1971, and of the value of all such property, together with a full and true statement of the amount and manner in which I have disposed of the same and of all the property remaining in my hands at the present time; and a full and true description of the amount and nature of each investment made by me since November 23, 1971.

I do not know of any error or omission in the inventory and account to the prejudice of my ward.

Sworn to before me this
9th day of May, 1972



DANIEL M. ZASLOWSKY
Notary Public State of New York
No. 41-9789550
Qualified in Queens County
Commission Expires 12/31/74




Sidney Eisen

SCHEDULE D

CLAIMS OF PATIENT

1. One-half (1/2) of estate of patient's mother and father estimated in the sum of \$50,000.00. The name and address of the attorney handling the estate is Leo Edward Goodwin, Esq., 39-01 Main Street, Flushing, New York 11354. The administration proceedings in the estates are pending in the Surrogate's Court, Bronx County.
2. Social Security payments due as of November 6, 1970. The patient's Social Security number is 058-40-9484. The application has been approved and payments are to be made directly to the hospital for the benefit of the patient.
3. Survivor Annuity benefits, based upon the service of Loretta L. Mullan, the patient's mother, in the Federal Government, as an incapable child. The said claim is now pending before the United States Civil Service Commission, Washington, D. C.



Sidney Eisen, Committee.

SCHEDULE C

PRINCIPAL as per Schedule "A"-----	\$11,311.63
INCOME as per Schedule "A-1"-----	<u>110.04</u>
	\$11,421.67
DISBURSEMENTS as per Schedule "B"-----	<u>140.00</u>
Balance on hand-----	<u>\$11,281.67</u>

consisting of the following:

Savings Account in Atlantic Bank of
New York-----\$10,610.04

Balance of checking account in
Chemical Bank of New York----- 671.63

\$11,281.67


COMMISSIONS

On Receiving:

Receipts per Schedule "A" and "A-1"
\$11,421.67 at 4%----- \$456.87

NAME OF SURETY ON BOND: Fidelity & Deposit Co. of Maryland
140 William Street, New York, N. Y.

Total amount of bond filed: - \$25,000.00




Sidney Eisen, Committee

SCHEDULE "B"

DISBURSEMENTS

1972

Jan. 13	Matteawan State Hospital Costs allowed in the order appointing Committee	\$25.00
Jan. 13	Robert B. Blaikie & Co. 96 Fulton Street, New York City Premium due on Committee bond No. J 85 55 464 issued by the Fidelity & Deposit Company of Maryland in the sum of \$25,000, effective 11/30/71, for a term of one (1) year	115.00
	Total Schedule "B"	<u>\$140.00</u>




Sidney Eisen, Committee

SCHEDULE "A-1"

INCOME RECEIVED

Interest earned on account No. 81135
in the Atlantic Bank of New York,
from January 7, 1972 to March 31, 1972

\$110.04



Sidney Eisen, Committee

SCHEDULE "A"

PRINCIPAL

Principal received:

1. One-half (1/2) of the proceeds of a Group Life Insurance policy issued under the Federal Employees Group Life Insurance Plan on the life of Loretta L. Mullan, mother of the patient, received from the Office of Federal Employees Group Life Insurance, 4 East 24th Street, New York, New York, and deposited on January 7, 1972 in the Atlantic Bank of New York, a savings bank, located at 960 Avenue of the Americas, New York, New York, Account No. 81135, in the sum of \$11,000.00

2. One-half (1/2) of unpaid compensation due to the mother of the patient, Loretta L. Mullan, who was employed by the United States Department of Treasury, and deposited on March 9, 1972 in a checking account of the Committee with the Chemical Bank located at 265 Broadway, New York, New York, in the sum of 311.63

Total principal received

\$11,311.63



Sidney Eisen, Committee

Each of the said schedules are signed by
me and made part of this account, and are respectfully sub-
mitted to this Court.

Dated: New York, New York
May 9, 1972



Sidney Eisen, Committee

SCHEDULE "A", hereinafter set forth as part of this account, contains a full and true statement and description of each article or item of personal property, and the value thereof, and each sum of money, particularly the description of the principal which has been received by me since my appointment, to the date of this account.

SCHEDULE "A-1", hereinafter set forth as part of this inventory and account, contains a true and full statement of income received by me since my appointment.

SCHEDULE "B", hereinafter set forth as part of this inventory and account, contains a true and full statement of the manner in which I have disposed of the articles or items of the aforesaid property from the date of my appointment to the date hereof.

SCHEDULE "C", hereinafter set forth as part of this inventory and account, contains a full and true statement showing the balance of assets now remaining belonging to the patient, the names and addresses of the banks in which the monies are deposited, and the commissions due to the Committee.

That the balance now remaining consists of cash in the sum of \$11,281.67.

SCHEDULE "D", hereinafter set forth as part of this inventory and account, contains the claims that the patient has or may have, the names of the parties against whom the patient has or may have said claims, and the nature of the said claims.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----x
In the Matter of the Judicial Settlement of the Final Account of SIDNEY EISEN, Committee of the Person and Property of

FINAL JUDICIAL
ACCOUNT

LAURENCE P. MULLAN,

Index No. 1627/1971

a patient at Matteawan State Hospital
-----x

I, SIDNEY EISEN, of 401 Broadway, New York City, New York, am the Committee of the Estate of the above named patient.

Pursuant to an order of a Justice of the Supreme Court of the State of New York, dated the 23rd day of November, 1971, I was duly appointed Committee of the person and property of the above named patient, and subsequently I duly qualified to act as Committee. Subsequently, upon my application, an order was duly made and entered on April 28, 1972 granting me leave to resign as said Committee and to render the Final Account.

The above named is now a patient at the Matteawan State Hospital.

I do hereby make, render and file the following as the Final Account of my proceedings as Committee herein.

1627/71

FILED
AUG 18 1972

2
629

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

In the Matter of the Judicial Settlement
of the Final Account of **SIDNEY EISEN**,
Committee of the Person and Property of

LAURENCE P. MULLAN,

a patient at Mattawan State Hospital.

Not assigned to
I. C. Part

NOTICE OF HEARING

Index No. 1627/1971

S I R :

PLEASE TAKE NOTICE, that upon the annexed peti-
tion of **SIDNEY EISEN**, Esq., verified the 15th day of November,
1973, and upon all the proceedings heretofore had herein, the
undersigned will move before this Court, at a Special Term,
Part I thereof, to be held at the County Court House, located
at 881 Grand Concourse, in the Borough of Bronx, City and
State of New York, on the 28th day of November, 1973, at 9:30
o'clock in the forenoon of that day or as soon thereafter as
counsel can be heard, for an order granting leave to **SIDNEY
EISEN**, the former Committee, either to deposit the principal
balance in the sum of \$10,343.51, with accrued interest there-
on, with the Clerk of the Court, now on deposit in the name
of the said former Committee, for the benefit of the incom-
petent, or to pay over the said principal balance to **FRED
SAMUEL**, Esq., the Substitute Committee, who has filed his
Bond and Designation, but has not received his Commission,
and for such other and further relief as to this Court may
seem just and proper in the premises.

Dated: New York, New York
November 15, 1973

Yours, etc.,

SIDNEY EISEN
Substituted Committee pro se
Office and Post Office Address
481 Broadway
Borough of Manhattan
New York, New York 10013

10: FRED SCHNEE, Mgr.
Substitute Committee
240 West 139th Street
New York, New York

MR. LOUIS J. LEVOWITZ
Attorney General of the State of New York
LOUIS FINEK, Mgr.
2 World Trade Center
New York, New York

FIDELITY & DEPOSIT COMPANY OF MARILAND
Surety
140 William Street
New York, New York

CLERK OF THE SUPREME COURT
COUNTY OF BROOK

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

-----X
In the Matter of the Judicial Settlement
of the Final Account of SIDNEY HIGGS,
Committee of the Person and Property of

LAURENCE P. MULLAN,

PETITIONER

a patient at Matteson State Hospital
-----g

**TO THE SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCK:**

The petition of SIDNEY HIGGS, the former Committee of the person and property of LAURENCE P. MULLAN, respectfully shows to this Court and alleges:

1. That your petitioner was duly appointed Committee of the person and property of the above named patient by an order of this Court made and entered on November 23, 1971.
2. That your petitioner thereafter duly qualified as such Committee, by filing a bond with the Clerk of this Court in the sum of \$25,000.00, issued by the FIDELITY & DEPOSIT COMPANY OF MARYLAND, together with his designation, and the receipt of a Commission duly issued to him on or about December 8, 1971.
3. Upon information and belief, the said LAURENCE P. MULLAN is now a patient at the Matteson State Hospital, having been admitted thereto on or about December 23, 1970.

4. That heretofore your petitioner moved by an order to show cause, duly made and entered on the 13rd day of March, 1972, for leave to resign as Committee, for the appointment of a Substitute Committee, and to have his account judicially settled. Thereafter an order was duly made and entered by Hon. ANDREW R. TYLER on April 28, 1972, granting your petitioner's motion for leave to resign, and the other incidental relief hereinbefore mentioned, and appointing SHELIE LEHRERKY, Esq., the Substitute Committee, who refused to accept the appointment.

5. Thereafter, your petitioner served his Final Account upon the ATTORNEY GENERAL OF THE STATE OF NEW YORK, and upon the Guardian ad Litem, MIRIAM HERSHORN, Esq., appointed by the said order of the Court, and caused the same to be filed in the office of the Clerk of this Court.

6. Subsequently, on the 11th day of August, 1972, an order was duly made and entered by Hon. ABRAHAM J. GELLINOFF, granting the petitioner's motion to settle his Final Account, and directing that the balance remaining on hand shall be paid over to the Substitute Committee upon his filing a bond in the sum of \$25,000.00, his designation of the Clerk of this Court, and the issuance of the Commission to him.

7. Thereafter and on the 9th day of April, 1973, an order was duly made and entered herein by Hon. ANDREW R. TYLER, appointing FRED SAMUEL, Esq. of 248 West 139th Street, New York, New York, Substitute Committee of

the person and property of the said patient, and the said Substitute Committee was directed to file his designation, a bond in the sum of \$25,000.00, and thereupon a commission was to be issued to the said Substitute Committee by the Clerk of the Court.

8. Your petitioner further respectfully submits to this Court that he has examined the records in the office of the Clerk of this Court, which indicate that on July 13, 1973 the said FRED SAMUEL, Esq., the Substitute Committee, has filed his designation of the Clerk of the Court and on July 20, 1973, has filed his bond, but, however, to date, he has not as yet received his Commission.

9. Your petitioner further respectfully submits to this Court that although he has made numerous calls and written several letters to the Attorney General and to the said Substitute Committee for the Substitute Committee to qualify and receive his Commission, so that the funds could be turned over to him, to date the said Substitute Committee has not as yet qualified, despite the fact that his appointment was made on April 9, 1973, and your petitioner was discharged on August 11, 1972.

10. By reason of the said circumstances, your petitioner respectfully prays that an order be made and entered granting the relief sought by the petitioner, for which no previous application has ever been made to any Court or Judge.

Dated: New York, New York

November 15, 1973

SIDNEY HIGSON
Sidney Higson

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.

SIDNEY KISCH, being duly sworn,
deposes and says that deponent is the Substituted Com-
mittee in the within action; that deponent has read the
forgoing Petition and knows the contents thereof; that
the same is true to deponent's own knowledge, except
as to the matters therein stated to be alleged on in-
formation and belief, and that as to those matters,
deponent believes it to be true.

Sworn to before me this
15th day of November, 1973

~~SIDNEY KISCH~~
~~Sidney Kisch~~

DANIEL N. MARSHALL
Notary Public
No. 1111111111
Queens, N.Y.

1973

Grant Leave

11/28 7

NEW YORK SUPREME COURT - COUNTY OF BROOK
SPECIAL TERM, PART I.

Matter of ~~XXXXXXXX~~ Sidney Eisen
Prop Of Laurence P. Mullan

Index Number 1627/71

Present:

JOSEPH A. BRUST

Hon. _____
Justice

The following papers numbered 1 to 2
read on this motion with draw
the 12 day of Dec 1973
Calendar No. 1

Notice of Motion and Affidavits Answered	1
Order to Show Cause and Affidavits Answered	
Answering Affidavits	
Replying Affidavits	
Affidavits	
Filed Papers (County Clerk's Office)	
Notice of Examination and Pleadings	
Exhibits <u>letter dated 12/10/73</u>	2
Copies Papers	
Referee's Report	
Stenographer's Minutes	
Stipulation	

Upon the foregoing papers this motion is permitted to be withdrawn

Date Dec 12 1973

Drawn: Plaintiff's _____ Defendant's _____ Referee's _____ Respondent's _____ Petitioner's _____
J. S. C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

FILED
SPECIAL TERM PART I
NOV 16 1973

SUPREME COURT
COUNTY OF BRONX CO.

In the Matter of the Judicial Settlement
of the Final Account of SIDNEY EISEN,
Committee of the Person and Property of

Not assig
I. C. Part

LAURENCE P. MULLAN,

NOTICE OF MOTION

Index No. 1627/1971

a patient at Matteawan State Hospital.

S I R :

PLEASE TAKE NOTICE, that upon the annexed petition of SIDNEY EISEN, Esq., verified the 15th day of November, 1973, and upon all the proceedings heretofore had herein, the undersigned will move before this Court, at a Special Term, Part I thereof, to be held at the County Court House, located at 851 Grand Concourse, in the Borough of Bronx, City and State of New York, on the 28th day of November, 1973, at 9:30 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, for an order granting leave to SIDNEY EISEN, the former Committee, either to deposit the principal balance in the sum of \$10,343.51, with accrued interest thereon, with the Clerk of the Court, now on deposit in the name of the said former Committee, for the benefit of the incompetent, or to pay over the said principal balance to FRED SAMUEL, Esq., the Substitute Committee, who has filed his Bond and Designation, but has not received his Commission, and for such other and further relief as to this Court may seem just and proper in the premises.

SPECIAL TERM PART I
NOV 16 1973

Dated: New York, New York
November 15, 1973

Yours, etc.,

SIDNEY EISEN
Substituted Committee pro se
Office and Post Office Address
401 Broadway
Borough of Manhattan
New York, New York 10013

TO: FRED SAMUEL, Esq.
Substitute Committee
248 West 139th Street
New York, New York

HON. LOUIS J. LEFKOWITZ
Attorney General of the State of New York
LOUIS FRANK, Esq.
2 World Trade Center
New York, New York

FIDELITY & DEPOSIT COMPANY OF MARYLAND
Surety
140 William Street
New York, New York

CLERK OF THE SUPREME COURT
COUNTY OF BRONX

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
In the Matter of the Judicial Settlement
of the Final Account of SIDNEY EISEN,
Committee of the Person and Property of

PETITION

LAURENCE P. MULLAN,

a patient at Matteawan State Hospital
-----X

TO THE SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX:

The petition of SIDNEY EISEN, the former Committee of the person and property of LAURENCE P. MULLAN, respectfully shows to this Court and alleges:

1. That your petitioner was duly appointed Committee of the person and property of the above named patient by an order of this Court made and entered on November 23, 1971.
2. That your petitioner thereafter duly qualified as such Committee, by filing a bond with the Clerk of this Court in the sum of \$25,000.00, issued by the FIDELITY & DEPOSIT COMPANY OF MARYLAND, together with his designation, and the receipt of a Commission duly issued to him on or about December 8, 1971.
3. Upon information and belief, the said LAURENCE P. MULLAN is now a patient at the Matteawan State Hospital, having been admitted thereto on or about December 23, 1970.

4. That heretofore your petitioner moved by an order to show cause, duly made and entered on the 23rd day of March, 1972, for leave to resign as Committee, for the appointment of a Substitute Committee, and to have his account judicially settled. Thereafter an order was duly made and entered by Hon. ANDREW R. TYLER on April 28, 1972, granting your petitioner's motion for leave to resign, and the other incidental relief hereinbefore mentioned, and appointing SELIG LENEFSKY, Esq., the Substitute Committee, who refused to accept the appointment.

5. Thereafter, your petitioner served his Final Account upon the ATTORNEY GENERAL OF THE STATE OF NEW YORK, and upon the Guardian ad Litem, MIRIAM ROBINSON, Esq., appointed by the said order of the Court, and caused the same to be filed in the office of the Clerk of this Court.

6. Subsequently, on the 11th day of August, 1972, an order was duly made and entered by Hon. ABRAHAM J. GELLINOFF, granting the petitioner's motion to settle his Final Account, and directing that the balance remaining on hand shall be paid over to the Substitute Committee upon his filing a bond in the sum of \$25,000.00, his designation of the Clerk of this Court, and the issuance of the Commission to him.

7. Thereafter and on the 9th day of April, 1973, an order was duly made and entered herein by Hon. ANDREW R. TYLER, appointing FRED SAMUEL, Esq. of 248 West 139th Street, New York, New York, Substitute Committee of

the person and property of the said patient, and the said Substitute Committee was directed to file his designation, a bond in the sum of \$25,000.00, and thereupon a commission was to be issued to the said Substitute Committee by the Clerk of the Court.

8. Your petitioner further respectfully submits to this Court that he has examined the records in the office of the Clerk of this Court, which indicate that on July 13, 1973 the said FRED SAMUEL, Esq., the Substitute Committee, has filed his designation of the Clerk of the Court and on July 20, 1973, has filed his bond, but, however, to date, he has not as yet received his Commission.

9. Your petitioner further respectfully submits to this Court that although he has made numerous calls and written several letters to the Attorney General and to the said Substitute Committee for the Substitute Committee to qualify and receive his Commission, so that the funds could be turned over to him, to date the said Substitute Committee has not as yet qualified, despite the fact that his appointment was made on April 9, 1973, and your petitioner was discharged on August 11, 1972.

10. By reason of the said circumstances, your petitioner respectfully prays that an order be made and entered granting the relief sought by the petitioner, for which no previous application has ever been made to any Court or Judge.

Dated: New York, New York
November 15, 1973



Sidney Eisen

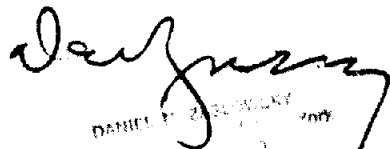
STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

SIDNEY EISEN, being duly sworn,
deposes and says that deponent is the Substituted Com-
mittee in the within action; that deponent has read the
foregoing Petition and knows the contents thereof; that
the same is true to deponent's own knowledge, except
as to the matters therein stated to be alleged on in-
formation and belief, and that as to those matters,
deponent believes it to be true.

Sworn to before me this
15th day of November, 1973



Sidney Eisen


DANIEL P. ZBOROSKI
Notary Public
1974

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
In the Matter of the Judicial Settlement
of the Final Account of SIDNEY EISEN,
Committee of the Person and Property of

AFFIDAVIT OF SERVICE

LAURENCE P. MULLAN,

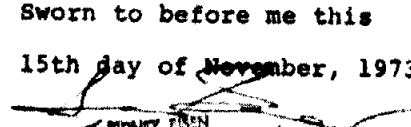
a Patient at Matteawan State Hospital.
-----X

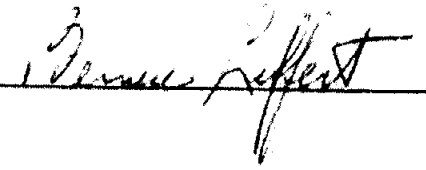
STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

BERNICE LEFFERT, being duly sworn, deposes
and says that deponent is not a party to the action, is over
eighteen years of age and resides at 401 Broadway, New York,
New York.

That on the 15th day of November, 1973,
deponent served the within Notice of Motion and Petition upon
FRED SAMUEL, Esq. Substitute Committee, at 248 West 139th
Street, New York, New York; upon HON. LOUIS J. LEFKOWITZ,
Attorney General of the State of New York, at 2 World Trade
Center, New York, New York, and upon the FIDELITY & DEPOSIT
COMPANY OF MARYLAND, Surety, at 140 William Street, New York,
New York, the addresses designated by the said parties above
mentioned for that purpose, by depositing true copies of same
enclosed in postpaid properly addressed wrappers, in an official
depository under the exclusive care and custody of the United
States Post Office Department within the State of New York.

Sworn to before me this
15th day of November, 1973


SIDNEY EISEN
Notary Public, State of New York
No. 30-616400
Qualified in Nassau County
Commission Expires March 30, 1974



SIDNEY EISEN

COUNSELLOR AT LAW

WORTH 1486
1487

401 BROADWAY
NEW YORK, N.Y. 10013

December 6, 1973

Clerk of Special Term, Part I
Supreme Court, Bronx County
851 Grand Concourse
Bronx, New York 10451

Attention Miss McDonough

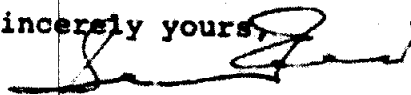
Dear Miss McDonough:

Re: Laurence P. Mullan
Motion adjourned to
December 12, 1973

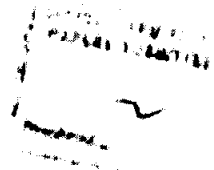
Might I kindly ask you to mark the motion in the above matter which was on December 5, 1973 and adjourned to December 12, 1973 "Withdrawn" in view of the fact that I turned over the balance of the funds of the incompetent to the substitute committee.

Thanking you sincerely for your co-operation during this entire matter,

Sincerely yours,



SE:B



PROOF OF FILING OF BOND

INDEX NUMBER *16172*

Dr. Lawrence R. Miller - Account
TITLE OF ACTION

AMOUNT *\$ 25,000.00*

BONDING COMPANY *Board of Comptrolers*

Fidelity & Deposit Co. of Maryland

DATE OF FILING *JUN 20 1973*

PRINCIPAL *Fred Samuel*

APPROVED BY: _____

SUPREME COURT

BRONX COUNTY

In the Matter of the Appointment
Of a Committee of the Person and Property of

LAURENCE P MULLAN

A Patient at

MATTEAWAN

State Hospital

Commission to Committee

Index # 1627-1971

THE PEOPLE OF THE STATE OF NEW YORK, TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING.

WHEREAS, by an order duly made April 9 1973 and entered in the office of the Clerk of the County of BRONX on the 2 day of April, 1973, in a proceeding in the Supreme Court entitled "In the Matter of the Appointment of a Committee of the Person and Property of LAURENCE P MULLAN, a patient at MATTEAWAN State Hospital", it was found that the said patient was duly admitted to MATTEAWAN State Hospital on the 23 day of August, 1970 (and that said patient has consented to the appointment of a committee herein;)

AND, WHEREAS, by said order FRED SAMUEL, residing at 248 West 139th Street, County of NEW YORK, was appointed committee of the person and property of the said patient and was directed to file in the Clerk's office of the said County a bond for the security required by law in the sum of \$25,000.00 dollars, conditioned that said Committee will in all things faithfully discharge the duties and obey all lawful directions of any Court or officer of competent jurisdiction pertaining to said trust, and render a just and true account of all moneys received and disbursed whenever required to do so by a Court of competent jurisdiction.

AND, WHEREAS, the designation of the Clerk of this Court has been duly executed and filed in his office.

AND, WHEREAS, the bond required by said order has been duly executed, and filed in the said Clerk's office;

NOW, THEREFORE, know ye, that we have granted, given and committed, and by these presents do give, grant and commit unto the said Committee, the possession, care and management of the estate, real as well as personal, of the said patient.

And the said Committee is hereby required to file in the office of the Clerk of said County of BRONX during the month of January, in each and every year, a just and true inventory, and account with the affidavit required by law annexed thereto, of the estate, real as well as personal, of the said patient stating the income and profits, thereof and the debts, credits and effects of the said patient so far as the same will come to the knowledge of said Committee in accordance with the provisions of Article 78 of the Mental Hygiene Law and as required by the statutes and rules of this Court. If said patient is a Veteran the Committee shall file each year an inventory and account on the anniversary date of his appointment.

And the said Committee is hereby further required out of the estate, and out of any moneys which shall come into the hands of said Committee after the payment of all money directed to be paid by said order appointing the Committee herein to provide for the support and maintenance of the said patient from the funds or other property belonging to said patient as directed in said order.

And the said Committee is hereby further required to obey and abide by all orders relating to said trust, as may hereafter be made in said order and to render a full and just account of the execution of the said trust, and of the estate, property and effects which shall come into the hands of said Committee when and as often as said Committee shall be required so to do by our said Court, or any Court of competent jurisdiction.

And the said Committee is required to file with the recording officer of the county wherein the patient is possessed of real property an acknowledged statement, showing by block and lot number the location of such real property, or otherwise identify the real property so possessed, the date of the adjudication of inability of the patient adequately to conduct his personal or business affairs, the date of the appointment of the Committee and the name and address of the committee and surety.

WITNESS, the Honorable Andrew R. Tyler, one of the Justices of the Supreme Court of the State of New York, at the County Court House in the County of BRONX this 27 day of November, 1973.

By the Court

LOUIS J. LEFKOWITZ
Attorney General of the State of New York
Attorney for Petitioner
Office & P. O. Address
Two World Trade Center
New York, N. Y. 10047

Clerk of the County of BRONX

Les Levy

1627-1971

CERTIFICATION DEPT.	
DATE	NOV 27 1971
LOCAL FEE	8.00
PROV & CEN	
MO FEE	
NO	DATE
	5/6

Commission

FILED

NOV 27 1971

~~NOV 27 1971~~

629

SUPREME COURT

BRONX

COUNTY

In the Matter of the Appointment
Of a Committee of the Person and Property of
LAURENCE P. MULLAN

A Patient at
MATTEAWAN State Hospital

Commission to Committee

Index # 1627-71

THE PEOPLE OF THE STATE OF NEW YORK, TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, by an order duly made **November 23, 1971** and entered in the office of the Clerk of the County of **BRONX** on the **23rd** day of **November**, 19 **71**, in a proceeding in the Supreme Court entitled "In the Matter of the Appointment of a Committee of the Person and Property of **LAURENCE P. MULLAN**, a patient at **MATTEAWAN** State Hospital, it was found that the said **LAURENCE P. MULLAN** was duly admitted to **MATTEAWAN** State Hospital on the **23rd** day of **December**, 19 **70**, (and that said patient has consented to the appointment of a committee herein);

AND, WHEREAS, by said order **SIDNEY EISEN, ESQ.**, residing at **401 Broadway, N.Y.C.**, County of **NEW YORK**, was appointed committee of the person and property of the said patient and was directed to file in the Clerk's office of the said County a bond for the security required by law in the sum of **\$25,000.00** dollars, conditioned that said Committee will in all things faithfully discharge the duties and obey all lawful directions of any Court or officer of competent jurisdiction pertaining to said trust, and render a just and true account of all moneys received and disbursed whenever required to do so by a Court of competent jurisdiction.

AND, WHEREAS, the designation of the Clerk of this Court has been duly executed and filed in his office.

AND, WHEREAS, the bond required by said order has been duly executed, and filed in the said Clerk's office;

NOW, THEREFORE, know ye, that we have granted, given and committed, and by these presents do give, grant and commit unto the said Committee, the possession, care and management of the estate, real as well as personal, of the said patient.

And the said Committee is hereby required to file in the office of the Clerk of said County of **BRONX** during the month of January, in each and every year, a just and true inventory, and account with the affidavit required by law annexed thereto, of the estate, real as well as personal, of the said patient stating the income and profits, thereof and the debts, credits and effects of the said patient so far as the same will come to the knowledge of said Committee in accordance with the provisions of Article 5A of the Mental Hygiene Law and as required by the statutes and rules of this Court. If said patient is a Veteran the Committee shall file each year an inventory and account on the anniversary date of his appointment.

And the said Committee is hereby further required out of the estate, and out of any moneys which shall come into the hands of said Committee after the payment of all money directed to be paid by said order appointing the Committee herein to provide for the support and maintenance of the said patient from the funds or other property belonging to said patient as directed in said order.

And the said Committee is hereby further required to obey and abide by all orders relating to said trust, as may hereafter be made in said order and to render a full and just account of the execution of the said trust, and of the estate, property and effects which shall come into the hands of said Committee when and as often as said Committee shall be required so to do by our said Court, or any Court of competent jurisdiction.

And the said Committee is required to file with the recording officer of the county wherein the patient is possessed of real property an acknowledged statement, showing by block and lot number the location of such real property, or otherwise identify the real property so possessed, the date of the adjudication of inability of the patient adequately to conduct his personal or business affairs, the date of the appointment of the Committee and the name and address of the committee and surety.

WITNESS, the Honorable *George Stankovic*, one of the Justices of the Supreme Court of the State of New York, of the County Court House in the County of **BRONX** this **23rd** day of **November**, 19 **71**.

By the Court

LOUIS J. LEFKOWITZ
Attorney General of the State of New York
Attorney for Petitioner
Office & P. O. Address
80 Centre St., New York, N. Y. 10013

Lee J. Long
Clerk of the County of **BRONX**

DEC 6 - 1971

*Part of [unclear]
[unclear] 27 1973*

CERTIFICATION DEPT.	
DATE DEC 6 1977	19
CERT. FEE	
PREP. & CERT.	
NO FEE	
BY <i>[Signature]</i>	DATE <i>12/6/77</i>

FILED

DEC 6 - 1977

BROOKLYN COUNTY CLERK'S OFFICE

2
BIF

ADJUDGE INCOMPETENT

10/29

NEW YORK SUPREME COURT — COUNTY OF FRONK

SPECIAL TERM, PART I.

IN RE: LAURENCE P MULLAN
~~XXXXXXXXXX~~ INCOMPETENT

INDEX NUMBER 1627/71

Present:

GEORGE STARKA

Hon. _____
Justice.

The following papers numbered 1 to 8
read on this motion. **SUBMITTED**
this day of OCT 29 1971
Calendar No. 4

554^a
I Sub
Duly to Q. Attached
MH1

	PAGES REFERRED
Notice of Motion and Affidavits Annexed	1 to 6
Order to Show Cause and Affidavits Annexed	
Answering Affidavits <u>M. H. I. S. Reports</u>	7-8
Replying Affidavits	
Affidavits	
Filed Papers (County Clerk's Office)	
Notice of Examination and Pleadings	
Exhibits	
Copies Papers	
Referee's Report	
Stenographer's Minutes	
Stipulation	

Upon the foregoing papers this motion

is granted for the appointment of Committee
Order docketed.

Dated November 26 1971

[Signature]
J. S. C.

Briefs: Plaintiff's _____ Defendant's _____ Relator's _____ Respondent's _____ Petitioner's _____

SUPREME COURT: BRONX COUNTY

IN THE MATTER OF THE
 Appointment of a Committee of the Person and Property of
 LAURENCE P. MULLAN
 A Patient at
 MATTEWAN State Hospital

FILED 1627 1971
 SPECIAL TERM PART I
 OCT 15 1971
 SUPREME COURT BRONX CO.

Ses:

PLEASE TAKE NOTICE that upon the annexed petition of Dr. W. C. JOHNSTON
 Director of the MATTEWAN State Hospital, duly verified the
 23rd day of September, 1971, the undersigned will move this Court at a Special Term,
 Part I thereof appointed to be held at the Supreme Court House, located in the Borough of BRONX
 City of New York, on the 29th day of October, 1971, at 9:30 o'clock in the forenoon of that day,
 or as soon thereafter as counsel can be heard, for an order adjudging the above named patient to be unable to con-
 duct his personal or business affairs and appointing a Committee of the Person and Property of the said patient,
 pursuant to the provisions of Article 5A of the Mental Hygiene Law in such cases made and provided, and for such
 other and further relief as to this Court may seem just and proper.

Dated, New York, September 30, 1971

Yours, etc.,

LOUIS J. LEFKOWITZ,
 Attorney General of the State of New York,
 ROBERT A. CORBLEY
 Attorney for Petitioner,
 80 Centre Street,
 Borough of Manhattan
 New York, N. Y. 10013
 (212) 697-6900; 488-7588

To:—

Dr. W. C. JOHNSTON
 Director of said Hospital.
 LAURENCE P. MULLAN
 The said patient.
 MENTAL HEALTH INFORMATION SERVICE

Supreme Court:

BRONX County

In the Matter of the Appointment of a Committee of the Person and Property of

246 E. 199 St., New York, N. Y.

LAURENCE P. MULLAN

18

PETITION

a patient at

MATTEAWAN

State Hospital

TO THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF BRONX

The petition of Dr. H. C. JOHNSTON, respectively shows:

That he is the Director of the MATTEAWAN

State Hospital, located at BEACON New York, and that he is authorized to make this application for the appointment of a committee of the Person and Property of the above named patient pursuant to the provisions of Section 102 of the Mental Hygiene Law.

Upon information and belief that the above-named patient has been legally admitted to the said State institution in the manner provided by the Mental Hygiene Law, as more fully appears by the admission papers made for that purpose and now on file in the office of the aforesaid State Hospital.

That said patient was admitted to the said State institution on or about the 23rd day of DECEMBER, 1970 and is now a patient thereof, and is unable adequately to conduct his personal or business affairs, and is being retained at said institution pursuant to ~~Section 562 of the Code of Criminal Procedure~~ pursuant to Section 562 Code of Criminal

Procedure. That upon information and belief no committee of the person and property of the said patient herein has been appointed in this State.

That the said patient is now maintained and supported by the People of the State of New York in said State Hospital as a public charge.

That upon information and belief the said patient is Single ~~MARRIED~~ that the last known place of residence of said patient was in the County of BRONX, State of New York; that the name and residence of the husband, wife, or distributees of said patient living in the State of New York, so far as known to your petitioner as well as the person with whom patient last resided, are as follows

NAME	RELATION	RESIDENCE
JAMES P. MULLAN	BROTHER	6231 Broadway, New York, N. Y.

That upon information and belief the nature, extent and income of the property of the said patient so far as is known to your petitioner or can with reasonable diligence be ascertained are as follows:

Social Security Payments. Dollar Savings Bank \$206.72-2530 Grand Concourse Bronx, N.Y. 10458 Account #591 756 0. 1/2 Estate of mother and father Estate \$50,000, patient's share \$25,000.

Handwritten signature and date stamp.

That no previous application has been made for the order applied for herein

WHEREFORE, your petitioner prays for an order adjudging that said patient is unable adequately to conduct his personal or business affairs and appointing a Committee of the Person and Property of said patient for the purpose of having said property, so far as the same shall be required for that purpose, applied for the maintenance and support of said patient in a State institution, and for such other purpose as may be directed and ordered by any Court of competent jurisdiction.

Dated, New York, September 23, 1972

W.C. Johnston
Petitioner.

STATE OF NEW YORK
County of Dutchess } ss.:

W. C. Johnston, M. D., being duly sworn, deposes and says:

That he is the petitioner named in the foregoing petition; that he has read the same and knows the contents thereof; that the same is true to the knowledge and belief of the deponent, except as to the matters therein stated to be alleged upon information and belief, and as to those matters he believes it to be true.

W.C. Johnston
Petitioner.

Sworn to before me this 23rd
day of SEPTEMBER, 1972

MORENA E. HEARNEY
MORENA E. HEARNEY
Notary Public in the State of New York
Residing in Dutchess County
Comm. Expiration March 30, 1973

SUPREME COURT: BRONX COUNTY

In the Matter of the Appointment of
a Committee of the Persons and
Property of

LAURENCE P. MULLAN

a Patient at

MATTEAWAN State Hospital

STATE OF NEW YORK,
COUNTY OF DUTCHESS ss:

Marcel Friedman, M. D., being duly sworn deposes
and says:

That he is over 21 years of age, and resides at Matteawan State Hospital
Beacon, N. Y.

That on the 4th day of October, 19 71, at the
MATTEAWAN State Hospital in said County, deponent personally served a copy
of the annexed Petition and Notice of Motion on Dr. W. C. JOHNSTON,
Director of said hospital, and on LAURENCE P. MULLAN,
an inmate of said hospital, by delivering to and leaving with each of them personally true
copies thereof.

That deponent knew the persons so served to be the same individuals mentioned in and to
whom said Notice of Motion was directed.

Marcel Friedman, M.D.
MARCEL FRIEDMAN, M. D.

Sworn to before me
this 4 day of October 19 71

Norma E. Kearney
Notary Public

NORMA E. KEARNEY
Notary Public in and for the State of New York
County of Dutchess
Created 1922

3

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
In the Matter :
of :
LAURENCE P. MULLAN :
A Patient :
-----X

: AFFIDAVIT OF SERVICE
: OF PETITION AND NOTICE
: OF MOTION BY MAIL ON
: MENTAL HEALTH INFORMA-
: TION SERVICE

STATE OF NEW YORK)
CITY OF NEW YORK : SS.:
COUNTY OF NEW YORK)

ROBERT A. GORMLEY , being duly sworn, deposes
and says:

That he is over 21 years of age and is employed in the
New York City Office of the Department of Law, in the Office of the
Attorney General of the State of New York.

That on the *1st* day of *October*, 1971, he served
a copy of the annexed notice of motion and petition on each of the
following next-of-kin of the above named patient, by certified
mail in a properly enclosed and sealed postpaid wrapper, in a post-
office box regularly maintained by the Government of the United
States at 80 Centre Street, New York, New York 10013 directed
to:

STATE OF NEW YORK
MENTAL HEALTH INFORMATION SERVICE
~~140 Court Street~~ *27 Madison Ave.*
New York Brooklyn, New York

That of deponent's own knowledge, said person so served
as aforesaid is the same person mentioned in and to whom said notice
was directed.

Robert A. Gormley

Sworn to before me this
1st day of *October*, 1971

[Signature]
JOHN M. STOLPI
Assistant Attorney General
State of New York

[Signature]

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
In the Matter :
of :
LAURENCE P. MULLAN : AFFIDAVIT OF SERVICE
: OF PETITION AND NOTICE
: OF MOTION BY MAIL ON
: NEXT-OF-KIN
A patient at MATTEAWAN State :
Hospital :
-----X

STATE OF NEW YORK)
CITY OF NEW YORK : SS.:
COUNTY OF NEW YORK)

ROBERT A. GORMLEY being duly sworn, deposes and
says:

That he is over 21 years of age and is employed in the
New York City Office of the Department of Law, in the Office of
the Attorney General of the State of New York.

That on 1st day of October, 1971, he served a
copy of the annexed notice of motion and petition on each of the
following next-of-kin of the above named patient, by registered
mail in a properly enclosed and sealed post paid wrapper, in the
Registry Division of the U.S.P.O. in the Borough of Manhattan,
City, County and State of New York, and under the care of the
General Post Office of the Borough of Manhattan, City of New York,
to the following addresses:

Name	Address
JAMES MULLAN	6231 Broadway, New York, N. Y.

That of deponent's own knowledge, each said person so
served as aforesaid is the same person mentioned in and to whom
said notice was directed.

Robert A. Gormley

Sworn to before me this
1st day of October, 1971

[Signature]
Assistant Attorney General
State of New York

5

Supreme Court:

BRONX County

In the Matter of the
Appointment of a Committee of the Person and Property of
LAURENCE P. MULLAN
A Patient at
MATTEAWAN State Hospital

The State Department of Mental Hygiene respectfully recommends the
appointment of **COURT APPOINTEE**
residing at
as Committee of the Person and Property of the above named patient.

LOUIS J. LEFKOWITZ
Attorney-General of the State of New York

By: 
ROBERT A. GORMLEY
Assistant Attorney-General

6

1627 1971

STATE OF NEW YORK }
COUNTY OF NEW YORK }

being duly sworn, deposes and says
that he is in the office of the Attorney General of the
State of New York, the Attorney for herein. On the
day of 19 .. he served the annexed upon the following named persons:

Attorney in the within entitled by depositing a true and correct copy thereof, properly
enclosed in a post-paid wrapper, in a post-office box regularly maintained by the Government of the United States at 80 Centre
Street, New York 13, N. Y., directed to said Attorney at the address within the State designated by
for that purpose.

Sworn to before me this
day of 19 ..

2/18

Assistant Attorney General of
the State of New York

<p>SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF BRONX</p> <p>In the Matter of the Appointment of a Committee of the Person and Property of</p> <p>LAURENCE P. MULLAN</p> <p>A patient at MATTEAWAN State Hospital</p> <p>NOTICE OF MOTION</p>		<p>LOUIS J. LEFKOWITZ, Attorney General</p> <p>Attorney for: Petitioner</p> <p>Office And Post Office Address Capitol, Albany, N.Y. 12224 New York Office 80 Centre Street, New York, N.Y. 10013 Tel. Personal service of a copy of</p> <p>within day of it admitted this 19 ..</p>
---	--	--

Please take notice that the within is a true
copy of a
this day duly entered herein in the office of
the Clerk of
dated, N.Y., 19 ..
Yours, etc.,
LOUIS J. LEFKOWITZ,
Attorney General.

Attorney For
Office And Post Office Address
Capitol, Albany, N.Y. 12224
New York Office
80 Centre Street, New York, N.Y. 10013
To .. Esq.

Attorney for

Please take notice that the within
will be presented for settlement and signature
before the Hon.
one of the Judges of the within named Court, at
in the Borough of
City of New York, on the
19 .. at M.
day of
..... 19 ..
Dated, N.Y.,
Yours, etc.,
LOUIS J. LEFKOWITZ,
Attorney General.

Attorney For
Office And Post Office Address
Capitol, Albany, N.Y. 12224
New York Office
80 Centre Street, New York, N.Y. 10013
To .. Esq.

Attorney for



ALFRED BESUNDER
DIRECTOR
ROBERT J. DELANEY
DEPUTY DIRECTOR

STATE OF NEW YORK
MENTAL HEALTH INFORMATION SERVICE
SECOND JUDICIAL DEPARTMENT
(DUTCHESS, NASSAU, MADISON, ORANGE, PUTNAM, QUEENS, RICHMOND,
ROCKLAND, SUFFOLK & WESTCHESTER COUNTIES)

(212) 688-3333

OFFICE OF THE DIRECTOR
16 COURT STREET
BROOKLYN, N. Y. 11201

November 4, 1971

Re: Laurence P. Mullan -
Matteawan State Hospital

Irving W. Weinblatt, Esq.
Clerk, Special Term, Part I
Supreme Court, Bronx County
851 Grand Concourse
Bronx, New York

Dear Mr. Weinblatt:

Please be advised that Mental Health Information Service, Second Judicial Department, has this day forwarded to the Mental Health Information Service, First Judicial Department, our original report in connection with the proceeding instituted by the Attorney General of the State of New York for the appointment of a committee for the above-named patient.

Very truly yours,

Alfred Besunder
Director

AB:pe

At a Special Term, Part I, of the Supreme Court of the State of New York, held in and for the County of Bronx, at the County Court House, Borough of Bronx, on the 23rd day of NOVEMBER, 1971

PRESENT:

HON. GEORGE STARKE Justice.

554^e

In the Matter of the Appointment of a Committee of the Person and Property of

LAURENCE P. MULLAN

a patient at MATTEAWAN State Hospital

ORDER

On reading and filing the petition of Dr. W. C. JOHNSTON Director of the MATTEAWAN State Hospital, duly verified on the 23 day of September 1971, and the Notice of presentation thereof for the appointment of a committee of the person and property of the above named patient wherefrom it appears that the said patient was duly admitted to the said Hospital on the 23 day of December, 1970, that he is now a patient of said Hospital, is unable adequately to conduct his personal or business affairs and is maintained and supported therein as a State charge, in Single room and at the time of such admission was a resident of the County of BRONX State of New York (~~and was at the time of such admission a resident of the County of the Bronx~~), and has the following property:

Social Security Payments. Dollar Savings Bank \$206.72-2530 Grand Concourse Bronx, N.Y. 10458 Account #591 756 0. 1/2 Estate of mother and father Estate \$50,000, patient's share \$25,000.

that no committee of the person and property of said patient has been appointed, and upon proof of due service of said petition and notice upon said patient and upon Dr. W. C. JOHNSTON the officer in charge of said hospital, upon Mental Health Information Service and upon

of the said patient and upon reading and filing the recommendation of the Department of Mental Hygiene and after hearing Louis J. Lefkowitz, Attorney-General, attorney for the petitioner, in support of said motion and no one appearing in opposition thereto and after due deliberation having been had thereon and the opinion of the Court having been filed, it is

ORDERED that the said LAURENCE P. MULLAN, is hereby adjudged unable adequately to conduct his personal or business affairs and it is further

ORDERED that SIDNEY EISEN, Sr. residing at 401 BROADWAY NYC #10013 County of New York State of New York, be and is hereby appointed committee of the person and property of said patient and said Committee is hereby directed to file in the office of the Clerk of the said County of BRONX, a bond as security required by law in the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) Dollars, pursuant to Article 5A of the Mental Hygiene Law and the designation of the Clerk of this Court, pursuant to Article 5A of the Mental Hygiene Law, and it is further

Handwritten initials and number: SSC

ORDERED that upon filing such bond and designation, a commission in due form of law shall be issued to such Committee by the Clerk of this Court, and it is further

ORDERED that said Committee shall pay to the said petitioner herein from the funds of the estate of the said patient the sum of Twenty-five (\$25) Dollars, which are hereby allowed as costs of this proceeding, and it is further

ORDERED that from the funds which may remain in said committee's hands after making the payment aforesaid and from any funds or property, which may thereafter come into the Committee's hands, the said Committee shall pay without further order of the court to the officers entitled to receive the same on behalf of the State of New York such sums of money as may now be due or may hereafter become due for the care, maintenance and support of the said patient and to reimburse said State for expenses heretofore incurred for such support and maintenance, and it is further

ORDERED and all persons are hereby directed and commanded to deliver to the said Committee upon demand and presentation of a certified copy of the said Commission to Committee all the property of the said patient of every kind and nature which may be in their possession or under their control, and it is further

ORDERED that the said committee shall file during the month of January or if the patient is a veteran on the anniversary date of appointment in each and every year, in the office of the County Clerk wherein this order is entered, a just and true inventory and account and affidavit in accordance with the provisions of Article 5A of the Mental Hygiene Law, and that a copy of said inventory, account and affidavit shall be mailed to the Director of the State Hospital where the patient is confined, and it is further

ORDERED that if the patient has a safe deposit box in any bank then the aforesaid committee be and is hereby directed to take inventory of the contents of the safe deposit box of said patient in the presence of a representative of the surety on the bond and a representative of the office of the Attorney General of the State of New York and that a list of the contents of said safe deposit box shall be certified by the committee, the representative of the surety on the bond and the representative of the Office of the Attorney General of the State of New York, and a copy thereof shall be duly filed by the committee together with his next annual inventory and account to be filed pursuant to Article 5A of the Mental Hygiene Law, and it is further

ORDERED that the said Committee before taking possession of any personal property valued in excess of the above mentioned bond file an ADDITIONAL BOND to be fixed and approved by the Justice of this Court pursuant to Article 5A of the Mental Hygiene Law.

Granted

November 23

Enter

J. S. C.

1971

Clerk

FILED
NOV 26 1971
CLERK OF THE COURT

Index # *1627/1971*
SUPREME COURT
BRONX COUNTY

In the Matter of the
Appointment of a Committee of the Person
and Property of

LAWRENCE P. MULLAN

a patient at

MATTEAUHAN State Hospital

ORDER APPOINTING COMMITTEE

LOUIS J. LEFKOWITZ,
Attorney-General
Attorney for Petitioner
Office and P. O. Address,
80 Centre St.,
New York, N. Y. 10013

Filed

JC-888.1 (Nov. 1965)

REPORT TO THE COURT

TO: SUPREME COURT
BRONX COUNTY

FROM: MENTAL HEALTH
INFORMATION SERVICE
FIRST Department

Address:
27 Madison Avenue
New York, N. Y. 10010
On Calendar: Oct. 29, 1971

PATIENT'S NAME LAURENCE P. MULLAN (Age: 18)		
INSTIT. IDENT. NO. 117-99-13	INSTITUTION Matteawan State Hospital	
DATE OF ADMISSION 12/23/70	CURRENT ADMISS. STATUS C.C.P. §662 b	DATE OF EXPIR. Indef.
NAME AND ADDRESS OF PATIENT'S COUNSEL, IF ANY		
NAME AND ADDRESS OF PATIENT'S PSYCHIATRIST, IF ANY		

REPORT

The Director of Matteawan State Hospital makes application to the Court for an order adjudging Laurence P. Mullan to be unable to conduct his personal and business affairs and appointing a Committee of the Person and Property of said patient pursuant to the provisions of Article 5A of the Mental Hygiene Law.

This motion is returnable on October 29, 1971, at Bronx County Supreme Court House, Special Term Part I, Bronx, New York.

The Mental Health Information Service, First Judicial Department, has caused an investigation of the facts of this matter to be made by the Mental Health Information Service, Second Judicial Department, in which jurisdiction Matteawan State Hospital is located. Report of this investigation is appended hereto for the information of the Court.

EVENTS LEADING TO HOSPITALIZATION:

On December 8, 1970, an order for Commitment of Defendant Incapable of Standing Trial, pursuant to §662 b of the Code of Criminal Procedure, was signed by Hon. Peter A. Quinn of the Supreme Court of New York County. Pursuant to that order Dr. C. Stamotovich, Assistant Commissioner of the Department of Mental Hygiene, designated Matteawan State Hospital as the correctional institution for placement of Mr. Mullan. Mr. Mullan was admitted to Matteawan State Hospital on December 23, 1970.

MARITAL STATUS AND FAMILY:

Mr. Mullan is 18 years old and has never been married. Both of his parents are deceased. He has a brother, James F. Mullan, who resides at 6321 Broadway, New York, New York.

As will be noted in the attached report from the Mental Health Information Service, Second Department, the brother of the patient was not notified in this case of the proceedings. Laurence Mullan is alleged to have murdered both his parents. Mrs. James Mullan has made a request to Matteawan State Hospital that Mr. James Mullan not be contacted in any matters concerning Laurence Mullan. James Mullan is presently engaged in psychological treatment for severe psychological distress relating to the murder of his parents and has been advised to desist from contact with his brother until he felt able to do so. The Mental Health Information Service, First Department, contacted Leo E. Goodwin, Esq., 390 Main Street, Flushing, New York, at 939-7901, the attorney for the Estates of Patrick and Loretta Mullan.

(CONTINUED)

PATIENT'S NAME	LAURENCE P. MULLAN	INSTIT. Matteawan State Hosp. IDENT. NO. 117-99-13
<p>Mr. Goodwin advised the Mental Health Information Service that James Mullan is still under psychological treatment and does not wish to be contacted about any matters concerning his brother.</p>		
<p><u>EDUCATION, VOCATION, BACKGROUND AND RESOURCES:</u></p>		
<p>Mr. Mullan was born on July 5, 1953, in the Bronx, New York. Prior to August, 1969, he attended Bronx Consultation Center with his parents. While in 9th and 10th grades he also attended three or four sessions with the school psychiatrist. These are the only reported psychiatric consultations by Mr. Mullan prior to his present hospitalization.</p>		
<p>Mr. Mullan dropped out of high school in his second year.</p>		
<p>Prior to the events that led to his present hospitalization Mr. Mullan experienced episodes of rage in which he would throw furniture and attack his parents. Approximately nine months prior to his arrest he became totally seclusive and did not leave his parents home where he resided.</p>		
<p>For approximately two years prior to his admission Mr. Mullan engaged in heavy intake of alcohol. There is no indication that he abused dangerous drugs.</p>		
<p>There is no record of any criminal arrest prior to the current charges which led to his present hospitalization.</p>		
<p><u>RESOURCES:</u></p>		
<p>The schedule provided to the Mental Health Information Service by the Attorney General's office lists Mr. Mullan's resources as follows:</p>		
<ol style="list-style-type: none"> 1. Social Security Payments. 2. Dollar Savings Bank, Grand Concourse, Bronx, N.Y. 10458 Account #591 756 0 -- Balance \$206.72. 3. One-half interest of the \$50,000.00 estate of mother and father. 4. \$54.06 - patient's account at Matteawan State Hospital. 		
<p>On October 22, 1971, Mrs. C. Kirby, Patient Resource Agent, at Matteawan State Hospital, told the Mental Health Information Service, Second Department, that there is no listing in the hospital records of Mr. Mullan receiving either Social Security or Veteran's Administration Benefits. The hospital file contains a letter dated August 6, 1971, from the Veterans Administration Regional Office, 252 Seventh Avenue, New York, New York 10001, indicating that Mr. Mullan is the son of a veteran and requesting that Matteawan State Hospital forward a complete current hospital report. On November 17, 1971, Miss Carney, Head Correction Clerk, at Matteawan State Hospital, told the Mental Health Information Service, First Department, that the requested report had been forwarded to the Veterans Administration and that no further communication from the Veterans Administration had been received by Matteawan State Hospital.</p>		
<p>(CONTINUED)</p>		

PATIENT'S NAME LAURENCE P. MULLAN	INSTIT. Matteawan State Hosp. IDENT. NO. 117-99-13
<p>Leo F. Goodwin, Esq., attorney for the Estate of Patrick and Loretta Mullan, told the Mental Health Information Service, First Department, that the assets of the estate have been liquidated into cash with a total value of approximately \$52,000.00. Mr. Goodwin also stated that Laurence Mullan would participate in the distribution of the estate in the amount of his one-half interest.</p> <p><u>MEDICAL SUMMARY:</u></p> <p>Mr. Mullan was first admitted to Bellevue Prison Ward after being charged with killing both of his parents. He was admitted to Matteawan State Hospital on December 23, 1970, pursuant to §662 b of the Code of Criminal Procedure. In a mental examination on December 24, 1970, Mr. Mullan was able to describe the events leading to his being charged with the murder of his parents. He also admitted to having been drinking heavily. His orientation, remote and recent memory, retention and recall and abstract thinking were described as preserved. His insight and judgment were described as impaired. He admitted to occasional suicidal thoughts and a suicide attempt just prior to his arrest. However, he denied suicidal ideations at the time of his examination.</p> <p>On June 5, 1971, Mr. Mullan was described by Dr. E. R. Peterson as having difficulty expressing his emotions except explosively.</p> <p><u>CURRENT DIAGNOSIS AND PROGNOSIS:</u></p> <p>The current psychiatric diagnosis is Schizophrenia, Pseudo, Neurotic Type, Colored with Alcohol. The prognosis is guarded.</p> <p><u>DATES SEEN BY HOSPITAL DOCTORS:</u></p> <p>Mr. Mullan has been seen on a regular basis by the medical staff at Matteawan State Hospital since his admission. The Mental Health Information Service, Second Department, indicates he was last seen at length on August 4, 1971. He is presently receiving no psychotropic medication.</p> <p><u>INTERVIEW WITH LAURENCE MULLAN, PATIENT:</u></p> <p>Mr. Mullan was interviewed by the Mental Health Information Service, Second Department, on October 14, 1971. He was advised of his rights pursuant to the appointment of Committee proceedings, including the right to a hearing and the right to representation by counsel.</p> <p>Mr. Mullan stated he had no objection to the appointment of a Committee. He indicated that he had no personal preference for that Committee but desires that the Court appoint "an attorney with a criminal background". Mr. Mullan indicated a high degree of interest in the appointment of a Committee and asked several questions concerning the responsibility of the Committee.</p>	
(CONTINUED)	

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----x
In the Matter of the Judicial Settlement of the Final Account of SIDNEY EISEN, Committee of the Person and Property of

LAURENCE P. MULLAN,

PETITION

Index No. 1627/1971

a patient at Matteawan State Hospital.
-----x

TO THE SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX:

The petition of SIDNEY EISEN, the Committee of the person and property of LAURENCE P. MULLAN, a patient at Matteawan State Hospital, respectfully shows to this Court and alleges:

1. That your petitioner maintains an office at 401 Broadway, New York, New York, and was appointed Committee of the person and property of the above named patient by an order of this Court made and entered on November 23, 1971.

2. That your petitioner duly qualified as such Committee by filing a bond with the Court in the sum of \$25,000.00, issued by the Fidelity & Deposit Co. of Maryland, which is now in force, together with his designation of the Clerk of this Court, and thereafter a commission was duly issued to him on or about December 8, 1971.

3. Granting reasonable compensation to the Attorney-committee for legal services rendered herein;

4. Directing that the balance be paid to the Substitute Committee

and for such other and further relief as to the Court may seem just and proper.

PLEASE TAKE FURTHER NOTICE that the action or proceeding has not been assigned to an Individual Calendar Part in accordance with the order of the Appellate Division, First Department, dated June 8, 1970.

Dated: New York, New York
May 15, 1972

Yours, etc.,

SIDNEY EISEN
Committee pro se
Office & P. O. Address
401 Broadway
Borough of Manhattan
New York, New York 10013

to: Hon. LOUIS J. LEFKOWITZ
Attorney General of the State
of New York and Attorney for
Matteawan State Hospital
80 Centre Street
New York, New York 10013

MIRIAM M. ROBINSON, Esq.
Guardian ad Litem
10 East 40th Street
New York, New York 10016 415-5704

FIDELITY & DEPOSIT CO. OF MARYLAND,
Surety
140 William Street
New York, New York 10038

Not Assigned to
I. C. Part

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

-----x
In the Matter of the Judicial Settlement of the Final Account of SIDNEY EISEN, Committee of the Person and Property of

LAURENCE P. MULLAN,

a patient at Matteawan State Hospital.
-----x

NOTICE OF MOTION

Index No. 1627/1971

FILED

SPECIAL TERM PART I

MAY 19 1972

SUPREME COURT BRONX CO.

S I R S :

PLEASE TAKE NOTICE that upon the annexed petition of SIDNEY EISEN, verified the 15th day of May, 1972, and upon the affirmation of SIDNEY EISEN, dated May 15, 1972, and upon the Final Account of SIDNEY EISEN, as Committee, verified the 9th day of May, 1972, the undersigned will move before this Court at a Special Term, Part I thereof, to be held at the County Court House located at 851 Grand Concourse, in the Borough of Bronx, City and State of New York, on the 31st day of May, 1972, at 9:30 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard for order granting the following relief:

1. Judicially settling the Final Account of the Committee and discharging the Committee and Surety on its bond;

2. Fixing the statutory commissions due to the Committee;

FILED

AUG 14 1972

BRONX COUNTY CLERK'S OFFICE

2/
314

NEW YORK SUPREME COURT - COUNTY OF BRONX

SPECIAL TERM, PART I.

IN RE: LAURENCE F. MULLAN
INCOMPETENT

INDEX NUMBER 1627/77

Present:

Hon Abraham J. Cellinoff
Justice.

Settle 5/31/77

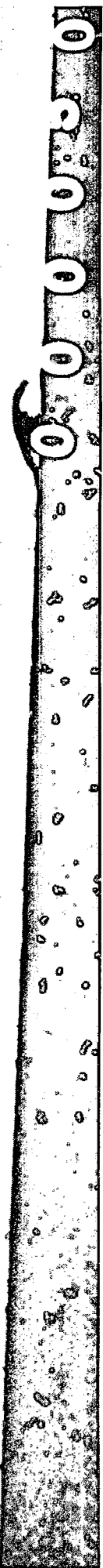
The following papers numbered 1 to 12
read on this motion subscribed
this 31 day of May 1977
Calendar No. 26

	PAPERS NUMBERED
Notice of Motion and Affidavits Annexed	1-5
Order to Show Cause and Affidavits Annexed	
Answering Affidavits <i>Notice of appearance, Atty General</i>	11-12
Replying Affidavits	
Affidavits	
Filed Papers (County Clerk's Office) <i>Account F Spitzer</i>	6
<i>Order, T. J. of aptly sub. h. Committee</i>	10
Notice of Examination And Pleadings	
Exhibits	
Copies Papers	
Reference Report <i>of Wardens as below</i>	7-8
Stenographer's Minutes <i>Letter of guardian regarding compensation</i>	9
Stipulation	

Upon the foregoing papers this motion to settle the final
account of the committee is granted
Order signed

see 11/2/77

Plaintiff's Defendant's Relative's Respondent's Petitioner's



Case No. 1527 Year 19 71

SUPREME COURT - BRONX COUNTY

In the Matter of

LAWRENCE P. MULLAN

a Patient at

Mattewan State Hospital

ORDER

SIDNEY EISEN
Committee pro se

401 BROADWAY
OFFICE and Post Office Address, Telephone

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013

WO 6-16667

To

Return for

Service of a copy of the within

Dated, is hereby admitted.

Approved by

This Order shall be a true and correct copy of the within as the same appears on the records of the Court, and shall be filed in the files of the within.

Dated

Yours, etc.

SIDNEY EISEN

Attorney for

Office and Post Office Address

401 BROADWAY

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013

To

Return for

Service of a copy of the within

Dated, is hereby admitted.

of which the within is a true copy will be presented

to the Hon. Andrew R.

Taylor

one of the Justices of the within named Court, at

Special Term, Part I

on the 16th day of May 1972

at 10:00 A.M.

Dated, May 9, 1972

Yours, etc.

SIDNEY EISEN

Attorney for

Office and Post Office Address

401 BROADWAY

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013

To Louis J. Lefkowitz, Esq.

Atty. Gen. of State of N.Y.

Residing at Mattewan State Hospital

To Marian M. Robinson, Esq.

Guardian ad litem

8/2/72

26
5/31/72
RECEIVED

FILED
MAY 11 1972
CLERK OF SUPREME COURT

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
In the Matter of the Judicial Settlement of the Final Account of SIDNEY EISEN, Committee of the Person and Property of

AFFIDVIT OF SERVICE

LAURENCE P. MULLAN,
a Patient at Matteawan State Hospital.


Index No. 1627/1971

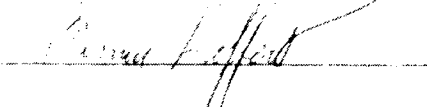
-----X
STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

Bernice Leffert, being duly sworn, deposes and says that deponent is not a party to this action, is over twenty-one (21) years of age and resides at 401 Broadway, New York City, New York.

That on the 17th day of May, 1972, deponent served the within Notice of Motion, Petition and Affirmation upon LOUIS J. LEFKOWITZ, Esq., Attorney General of the State of New York, and attorney for Matteawan State Hospital, at 80 Centre Street, New York, New York 10013, upon MIRIAM M. ROBINSON, Esq., Guardian ad Litem herein, at 10 East 40th Street, New York, New York 10016, and upon FIDELITY & DEPOSIT CO. OF MARYLAND, Surety, at 140 William Street, New York, New York 10038, the addresses designated by said parties for that purpose, by depositing a true copy of same enclosed in postpaid properly addressed wrappers, in an official depository under the exclusive care and custody of the United States post office department within the State of New York.

Sworn to before me this
17th day of May, 1972


SIDNEY EISEN
Notary Public, State of New York
No. 39-6164800
Qualified in Nassau County
Commission Expires March 31, 1974



3

STATEMENT OF APPOINTMENT FILING RECEIPT

JUDICIAL CONFERENCE OF THE STATE OF NEW YORK
P. O. Box 3171
Church Street Station
New York, New York 10008

APPOINTEE'S NAME AND ADDRESS

SIDNEY EISEN
401 BROADWAY
N Y N Y

10013

APPOINTEE'S FILE REFERENCE:

re: MATTER OF LAURENCE PMULLAN
TITLE OF PROCEEDING

71001627
COURT INDEX FILE/DOCKET #

COMMITTEE OF INCOMPETENT
NATURE OF APPOINTMENT

11/23/71
DATE OF APPOINTMENT

71127286
JUDICIAL CONFERENCE STATEMENT #

SUPREME COURT
APPOINTING COURT

BRONX COUNTY

LAURENCE PMULLAN
PERSON OR INTEREST REPRESENTED

APPOINTEE

FEE TO BE SET BY THE COURT

If you are applying to the court for a fee or allowance, tear off this COURT COPY (white part) and submit it to the court along with any other papers submitted in support of your claim. Submission of this receipt is evidence to the court that you, as the appointee in the above proceeding, have satisfied the requirement of Subdivision 1 of Section 35-a of the Judiciary Law for filing a Statement of Appointment, form IC-830 with the Judicial Conference of the State of New York.

Within 30 days after any fee or allowance set by the court is received, complete the yellow and blue parts of this set in accordance with the instructions on the reverse sides thereof. After completion, mail the yellow part to The Judicial Conference, P O Box 3171 Church St Station New York, N Y 10008 along with attachments, if any. The blue part is to be retained by yourself as the appointee.

FEE NOT SET BY THE COURT

If the fee or allowance received was not set by the court, complete the yellow and blue parts of this set in accordance with the instructions on the reverse sides thereof. After completion, mail the yellow part to the Judicial Conference at the address shown above. The white and blue parts are to be retained by yourself as appointee.

NO FEE

If no fee or allowance is to be received, state that in item 1 on the yellow copy, date and sign it, and mail it to The Judicial Conference at the address shown above.

COURT

This filing receipt is evidence that the above named appointee in the captioned proceeding has satisfied the requirement of Subdivision 1 of Section 35-a of the Judiciary Law for filing a Statement of Appointment, form IC-830, with the Judicial Conference. It must accompany a claim for a fee or allowance for services rendered.

4

prepared a notice of motion and petition to judicially settle his Final Account, which is being served on all the parties interested in this proceeding. It will also be necessary for your deponent to confer with the Substitute Committee regarding the pending claims, and to clarify for it any of the items of the Account. In addition, your deponent will prepare the order judicially settling the Account and serve copies thereof, with notice of settlement and with notice of entry.

As heretofore stated, your deponent has collected \$11,311.63 on behalf of the patient. In addition, there is \$26,000.00 due from the estates of the parents of the patient, or a total sum of \$37,000.00.

Your deponent estimates that the services rendered herein consumed in excess of thirty (30) hours of billable time. Under the circumstances, your deponent respectfully submits that the Court grant an allowance in the sum of \$750.00, for the legal services rendered by him.

Dated: New York, New York

May 15, 1972


Sidney Eisen

F. SURVIVOR'S ANNUITY BENEFITS UNDER
THE CIVIL SERVICE RETIREMENT ACT

Deponent has been informed that the patient, as an incapable child, is entitled to survivor and annuity benefits based upon the service of his mother in the United States Government. That claim is still pending and is awaiting determination by the said department.

In addition to the services heretofore mentioned, due to the fact that the patient indicated in his correspondence that he preferred his Committee to be a person who has had experience in the practice of Criminal Law, your deponent initiated a proceeding for leave to resign as Committee, and to judicially settle his Final Account, by petition and order to show cause, dated March 23, 1972, which were served upon the Attorney General, the patient, the Director of the hospital, and upon the guardian ad litem, who was appointed in the said order to show cause.

Thereafter on April 28, 1972, a short form order was entered by Hon. ANDREW R. TYLER, granting the Committee the relief requested, and directing it to "Settle order providing for the appointment of a Substitute Committee." Thereafter, your deponent prepared and submitted a long form order as directed, prepared and filed his Final Account which was served upon the guardian ad litem and upon the Attorney General. In addition thereto, your deponent has

D. UNPAID COMPENSATION DUE TO LORETTA L. MULLAN, MOTHER OF THE PATIENT.

As heretofore stated, the mother of the patient was employed by the Federal Government and at time of her death was entitled to \$623.27 as unpaid compensation, which was divided between the patient and his brother, JAMES. Accordingly, upon delivery of the documents required by the Internal Revenue Service, I received the sum of \$311.63, which was deposited in the checking account of the Committee in the Chemical Bank, as shown in the Account filed herein.

E. CLAIM FOR SOCIAL SECURITY AND DISABILITY BENEFITS

Due to the fact that at the time of the death of PATRICK MULLAN, the father of the patient, the patient was under eighteen (18) years of age, the Committee filed a claim with the Social Security Board for Social Security benefits and disability benefits. Thereafter, your deponent had numerous conferences at the Social Security Board located at 22 Broadway, New York City, during the period commencing December, 1971 and up to April, 1972, particularly with claims representatives JUNG, LAMOTE, WHELAN and TRAININ. These conferences were requested by reason of the fact that neither PATRICK MULLAN, deceased, nor the patient were available to render the necessary data to the Social Security Board in order to process the claim of the patient. I have been informed that the claim has been approved and that the patient will receive the benefits as of November 6, 1970, but that the said payments would be mailed to the hospital where the patient is now treated, instead of to the Committee.

B. FUNDS DUE TO THE PATIENT FROM THE
ESTATES OF PATRICK MULLAN, HIS FATHER
AND LORETTA L. MULLAN, HIS MOTHER.

As heretofore stated, the order of appointment and the files in the Surrogate's Court, Bronx County, showed that the patient is entitled to receive the sum of \$26,000.00 from the said estates. Accordingly, deponent made numerous requests of LEO EDWARD GOODWIN, Esq., of 39-01 Main Street, Flushing, New York, the attorney for the said estates, for the said sum. However, I have been informed by the said attorney for the estates on numerous occasions, particularly by letter dated May 4, 1972, that he has now marshalled all the assets of the two (2) estates, and that he is proceeding to bring them to a conclusion, and that payment will be made shortly.

C. PROCEEDS OF A LIFE INSURANCE POLICY
ISSUED TO LORETTA L. MULLAN, THE
MOTHER OF THE PATIENT.

As a result of my inquiries, I ascertained that LORETTA L. MULLAN, mother of the patient, was employed by the Federal Government in the Treasury Department, and that she was insured under the Federal Employees Group Life Insurance Plan in the sum of \$22,000.00, which entitled the patient to receive one-half (1/2) thereof, or the sum of \$11,000.00. Accordingly, upon delivery of the various documents requested by the Federal Employees Group Life Insurance of 4 East 24th Street, New York City, I received the said sum of \$11,000.00, which I deposited in a savings account, as indicated in the Account filed herein.

No. 10231/1970, for the purpose of ascertaining the facts and circumstances pertaining to the commitment of the patient to Matteawan State Hospital, by an order made and entered on December 8, 1970 by Hon. PETER A. QUINN.

Deponent thereafter ascertained that both the patient's father, PATRICK MULLAN, and mother, LORETTA L. MULLAN, died on November 6, 1970. As a result thereof, I examined the two (2) files pertaining to the administration of their estate in the Surrogate's Court, Bronx County, bearing Nos. 672A/1971 and 481A/1971, which indicated that they left an estate of approximately \$52,000.00, and that the patient herein was entitled to receive one-half (1/2) thereof in the sum of \$26,000.00.

Deponent submits to the Court that he has rendered legal services in connection with the following matters.

A. FUNDS ON DEPOSIT WITH THE DOLLAR SAVINGS BANK

The order of appointment and the passbook turned over to the Committee by the Assistant Attorney General, indicated that the patient had on deposit with the Dollar Savings Bank \$263.00. Upon requesting payment of the said funds, I was advised that the patient withdrew the said sum on April 12, 1971, prior to my appointment, on a Lost Book Affidavit executed by him, which affidavit and photostatic copy of the check indicating payment to him, were forwarded to your deponent by the bank.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----x
In the Matter of the Judicial Settlement of the Final Account of SIDNEY EISEN, Committee of the Person and Property of

LAURENCE P. MULLAN,
a patient at Matteawan State Hospital.

AFFIRMATION OF SERVICES

Index No. 1627/1971

-----x
STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

SIDNEY EISEN, an attorney-at-law, duly admitted to practice in the courts of the State of New York since 1932 and maintaining his office at 401 Broadway, New York, New York, under the penalties of perjury, respectfully affirms as follows:

Deponent was appointed Committee of the above named patient by an order of this Court dated November 23, 1971. Immediately thereafter, deponent arranged for the execution and filing of a surety company bond in the sum of \$25,000, conferred with ROBERT A. GORMLEY, an Assistant Attorney General, prepared and filed his designation, obtained the issuance of a commission to him by the County Clerk, and filed a Statement of Appointment, pursuant to Section 35-a of the Judiciary Law, with the Judicial Conference.

Thereafter, deponent examined the file in the Supreme Court, Bronx County, Criminal Part thereof, Index

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

SIDNEY EISEN, being duly sworn, deposes and says that deponent is the petitioner in the within action; that deponent has read the foregoing petition and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true.

Sworn to before me this

15th day of May, 1972



Sidney Eisen

1000 1000

HAY HORTON
Notary Public, State of New York
No. 15-10000
Qualified in West County
Commission Expires March 30, 1974

and for such other and further relief as to this Court may
seem just and proper in the premises.

Dated: New York, New York
May 18th, 1972



Sidney Eisen

0-0-0-0-0

funds in the hands of the Committee to the Substitute Committee to be appointed herein.

8. Simultaneously herewith, your petitioner respectfully prays that the statutory commissions as shown in Schedule "C" thereof be fixed, and that an allowance be granted to him for the legal services rendered by him in connection with the administration of the estate, as shown in the annexed affirmation.

9. That the only persons interested in this proceeding are the following:

Hon. LOUIS J. LEFKOWITZ
Attorney General of the State of New York
and Attorney for Matteawan State Hospital

FIDELITY & DEPOSIT CO. OF MARYLAND,
Surety

MIRIAM M. ROBINSON, Esq.
Guardian ad Litem

WHEREFORE, your petitioner prays that an order be made granting the following relief:

1. Judicially settling the Final Account of the Committee and discharging the Committee and the surety on its bond.
2. Fixing the statutory commissions due to the Committee.
3. Granting reasonable compensation to the attorney-Committee for legal services rendered herein.
4. Directing that the balance be paid to the Substitute Committee.

3. That the said LAURENCE P. MULLAN is now a patient at the Matteawan State Hospital, having been admitted thereto on or about December 23, 1970.

4. That heretofore your petitioner moved by an order to show cause, duly made and entered on the 23rd day of March, 1972, for leave to resign as Committee of the person and property of the above named patient, to have his Account judicially settled, and for the appointment of a substitute Committee. That pursuant to the terms of the said order dated March 23, 1972, MIRIAM M. ROBINSON, Esq., of 10 East 40th Street, New York, was appointed guardian ad litem to protect the interests of the patient.

5. That thereafter, an order was duly made and entered by Hon. ANDREW R. TYLER, on April 28, 1972, granting your petitioner's motion for leave to resign, to file his Account, and to move for a judicial settlement of his Account within thirty (30) days after the entry of the said order, and that the said order be settled with a provision for the appointment of a Substitute Committee.

6. That your petitioner has served his Final Account upon the Attorney General of the State of New York and upon the Guardian ad Litem appointed by the said order of this Court, and has caused the same to be filed in the office of the Clerk of Special Term, Part II of this Court.

7. That your petitioner desires to judicially settle his Final Account and to turn over the balance of the

Lawrence Mullan
BOX 307
BEACON, NEW YORK 12508



Bronx Supreme Court
161st St and Grand Concourse
Bronx, NY

N.Y.S.I.I.S. 3271266-R

Spec I

F

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF BRONX

In the Matter of

LAURENCE P. MULLAN

#1627/1971

An Incompetent Person.

Sirs:

PLEASE TAKE NOTICE that the Attorney General of the State of New York appears herein on behalf of himself and as Attorney for the Director of the State Hospital wherein the above named incompetent is or was a patient and demands that a copy of all papers in this proceeding be served on him at his New York office, at 80 Centre Street, New York 13, N. Y.

Dated: New York, _____ May 26 _____, 1972.

Yours, etc.,

LOUIS J. LEFKOWITZ
*Attorney General of the State of New York and
Attorney for Director of Mattawaan State
Hospital*

By


LOUIS FRANK

Assistant Attorney-General
Office & P. O. Address
New York City Office
80 Centre Street
New York 13, N. Y.

TO:

SIDNEY EISEN, ESQ.
401 Broadway
New York, New York 10013

MIRIAM M. ROBINSON, ESQ.
10 E. 40th Street
New York, New York 10018

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss.:

Ghislaine Lambert

12
being duly sworn, deposes and says

that she is employed in the office of the Attorney General of the State of New York, the Attorney for Mattawan State Hospital herein. On the 26th

day of May, 1972 she served the annexed upon the following named persons:

SIDNEY EISEN, ESQ.

MIRIAM M. ROBINSON, ESQ.

401 Broadway
New York, N.Y. 10013

10 E. 40th Street
New York, N.Y. 10016

Attorney in the within entitled proceeding by depositing a true and correct copy, properly enclosed in a post-paid wrapper, in a post-office box regularly maintained by the Government of the United States at 80 Centre Street, New York 13, N. Y., directed to said Attorney at the address within the State designated by them for that purpose.

Sworn to before me this

26 day of May, 1972

[Signature]

Assistant Attorney General of
the State of New York

Ghislaine Lambert

FILED
MAY 14 1972
CLERK OF SUPREME COURT

1627-71

SUPREME COURT: STATE OF NEW YORK
COUNTY

In the Matter of

LAURENCE W. GULIAN

An Incompetent Person

NOTICE OF APPEARANCE OF THE
ATTORNEY GENERAL OF THE
STATE OF NEW YORK

LOUIS J. LEFKOWITZ

Attorney General and
Attorney for State Hospital
Office and Post Office Address
Capital, Albany, N. Y.
New York City Office
80 Centre Street
Borough of Manhattan
New York 13, N. Y.

At a Special Term, Part I of
the Supreme Court of the State
of New York, held in and for the
County of Bronx, at the County
Court House, Borough of Bronx,
on the 19th of May, 1972.

JUN 16 1972

P R E S E N T :

HON. ANDREW R. TYLER

JUSTICE

-----x

In the Matter of

LAURENCE P. MULLAN

a Patient at

Mattewan State Hospital

ORDER

Index No. 1627/1971

4/3a
C

-----x

SIDNEY EISEN, the Committee of the Person and Property of the above named patient, having moved by an order to show cause, made and entered on the 23rd day of March, 1972, for an order granting him leave to resign as Committee of the above named patient, leave to apply for a judicial settlement of his account of this proceeding and for the appointment of a Substitute Committee, and for such other and further relief as to this Court may seem just and proper,

NOW, on reading and filing the order to show cause dated March 23, 1972, the petition of SIDNEY EISEN, Esq., the Committee herein, duly verified the 22nd day of March, 1972, with proof of due service thereof upon DR. W. C. JOHNSON, Director of the Mattewan State Hospital, LAURENCE P. MULLAN, the patient herein, the Attorney General of the State of New

000044

York, the Fidelity and Deposit Company of Maryland, the surety, and MIRIAM M. ROBINSON, Esq., the Guardian ad Litem, in support of the said application; the notice of appearance of the Attorney General of the State of New York and attorney for the said hospital, dated March 29, 1972, the exhibits consisting of a letter from the patient and a reply letter thereto; and after hearing SIDNEY EISEN, the Committee pro se in support of the said motion, and no one appearing in opposition thereto, and after due deliberation having been had thereon, and the opinion of the Court having been filed, it is

ORDERED, that the motion of the Committee for leave to resign and to apply for a judicial settlement of his account, be and the same is hereby granted, and it is further

ORDERED, that SIDNEY EISEN, Esq., the Committee herein, be and he is hereby granted leave to resign as Committee of the person and property of the patient named herein; and to file his Final Account and to move for a judicial settlement of his Final Account within thirty (30) days from the date of the entry of the within order, and it is further

ORDERED, that *Sidney Eisen, Esq.*
residing at *100 E. 10th St.*
County of *Westchester*, State of New York, be and is hereby appointed Substitute Committee of the person and property of the said patient, and the said Substitute Committee is hereby directed to file in the office of the Clerk of the said County

750

of Bronx, his designation of the Clerk of this Court, pursuant to Article 5A of the Mental Hygiene Law, and it is further

ORDERED that the bond heretofore filed by the Committee in the sum of \$25,000.00, pursuant to Article 5A of the Mental Hygiene Law, shall remain the bond of the Substitute Committee, and it is further

ORDERED, that upon the filing of the said designation, a commission in due form of law shall be issued to such Substitute Committee by the Clerk of this Court.

E N T E R ,



J. S. C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----x
In the Matter of
LAURENCE P. MULLAN
a Patient at
Matteawan State Hospital

AFFIDAVIT OF SERVICE
Index No. 1627/1971

-----x
STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.:

Bernice Leffert, being duly sworn, deposes and says that deponent is not a party to this action, is over twenty-one (21) years of age and resides at 401 Broadway, New York City, New York.

That on the 9th day of May, 1972, deponent served the order in the within proceedings upon LOUIS J. LEFKOWITZ, Esq., Attorney General of the State of New York, and attorney for Matteawan State Hospital, at 80 Centre Street, New York, New York 10013, and upon MIRIAM M. ROBINSON, Esq., Guardian ad Litem herein, at 10 East 40th Street, New York, New York 10016, the addresses designated by said parties for that purpose, by depositing a true copy of same enclosed in postpaid properly addressed wrappers, in an official depository under the exclusive care and custody of the United States post office department within the State of New York.

Sworn to before me this
9th day of May, 1972

[Signature]
SIDNEY EISEN
Notary Public, State of New York
No. 30-6164600
Qualified in Nassau County
Commission Expires March 30 1974

STATE OF NEW YORK, COUNTY OF

The undersigned, an attorney admitted to practice in the courts of New York State, certifies that the within has been compared by the undersigned with the original and found to be a true and complete copy.

Dated:

STATE OF NEW YORK, COUNTY OF

ATTORNEY'S AFFIRMATION

The undersigned, an attorney admitted to practice in the courts of New York State, shows that deponent is the attorney (s) of record for in the within action; that deponent has read the foregoing and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true. Deponent further says that the reason this verification is made by deponent and not by

The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows:

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.

Dated:

STATE OF NEW YORK, COUNTY OF

ss.:

INDIVIDUAL VERIFICATION

deponent is the read the foregoing the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true. Sworn to before me, this day of 19

, being duly sworn, deposes and says that in the within action; that deponent has and knows the contents thereof; that

STATE OF NEW YORK, COUNTY OF

ss.:

CORPORATE VERIFICATION

of read the foregoing named in the within action; that deponent has and knows the contents thereof; and that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters deponent believes it to be true. This verification is made by deponent because is a corporation. Deponent is an officer thereof, to-wit, its The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows:

, being duly sworn, deposes and says that deponent is the the corporation

Sworn to before me, this day of 19

STATE OF NEW YORK, COUNTY OF

ss.:

AFFIDAVIT OF SERVICE BY MAIL

being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at

That on the day of 19 deponent served the within attorney (s) for upon in this action, at

the address designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office official repository under the exclusive care and custody of the United States Post Office, at New York, New York.

STATE OF NEW YORK, COUNTY OF

ss.:

AFFIDAVIT OF PERSONAL SERVICE

being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at

That on the day of 19 at No. deponent served the within upon

herein, by delivering a true copy thereof to personally. Deponent knew the person so served to be the person mentioned and described in said papers as the therein. Sworn to before me, this day of 19

Index No. 15-27

SUPREME COURT - BROX COUNTY

In the Matter of

LAURENCE P. MULLAN

a Patient at

Mattewan State Hospital

ORDER

SIDNEY EISEN
Committee pro se

Office and Post Office Address, Telephone

401 BROADWAY

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013

WG 5-1498-7

To

Attorn. for

Service of a copy of the within

is hereby admitted.

Dated,

Attest: (s) by

CLERK OF SUPREME COURT, 77 NASSAU ST., NEW YORK, N. Y. 10013

Index No. 15-27

SUPREME COURT - BROX COUNTY

In the Matter of

SIDNEY EISEN

Office and Post Office Address

401 BROADWAY

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013

To

Attorn. for

Service of a copy of the within

is hereby admitted.

of which the within is a true copy will be presented
for admission to the files. Andrew R.

Tyler

one of the judges of the within named Court, at

Special Term, Part I

1972

on the 16th day of May

's 10:00 A.M.

Dated, May 9, 1972

Years, etc.

SIDNEY EISEN

Committee pro se

Office and Post Office Address

401 BROADWAY

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013

To Lewis J. Laikowitz, Esq.

Atty. Gen. of State of N.Y.

assigned to Mattewan State Hospital

To Miriam M. Robinson, Esq.

Guardian ad Litem

FILED
MAY 11 1972
CLERK OF SUPREME COURT'S OFFICE

62/18

26
5/11/72
CLERK OF SUPREME COURT

SETTLE FINAL ACCOUNT

5/31

NEW YORK SUP. ME COURT - COUNTY OF BRONX

SPECIAL TERM, PART I.

IN RE: LAURENCE P MULLAN
INCOMPETENT

INDEX NUMBER 1627/71

Present:

Hon. Abraham J. Celligoff
Justice.

Solo \$48⁰⁰

The following papers numbered 1 to 12
read on this motion submitted
this 31 day of May 1972
Calendar No. 26

	PAPERS NUMBERED
Notice of Motion and Affidavits Annexed.....	<u>1-5</u>
Order to Show Cause and Affidavits Annexed.....	
Answering Affidavits <u>Notice of appearance, Atty general</u>	<u>11-12</u>
Replying Affidavits.....	
Affidavits.....	
Filed Papers (County Clerk's Office) <u>Account F 5/16/72</u>	<u>6</u>
<u>Order, T. J. apply sub. to the Committee</u>	<u>10</u>
Notice of Examination and Pleadings.....	
Exhibits.....	
Copies Papers.....	
Referee's Report <u>of Guardians as below</u>	<u>7-8</u>
Stenographer's Minutes <u>Letter of guardian w/ way compensation</u>	<u>9</u>
Stipulation.....	

Upon the foregoing papers this motion to settle the final
account of the committee is granted
Order signed

Done August 11, 1972

[Signature]

000000

FILED

AUG 14 1972

BROOK COUNTY CLERK'S OFFICE

Not Assigned to
I. C. Part

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

-----x
In the Matter of the Judicial Settlement of the Final Account of SIDNEY EISEN, Committee of the Person and Property of

LAURENCE P. MULLAN,

a patient at Matteawan State Hospital.
-----x

NOTICE OF MOTION

Index No. 1627/1971

FILED

SPECIAL TERM PART I

MAY 19 1972

SUPREME COURT BRONX CO.

S I R S :

PLEASE TAKE NOTICE that upon the annexed petition of SIDNEY EISEN, verified the 15th day of May, 1972, and upon the affirmation of SIDNEY EISEN, dated May 15, 1972, and upon the Final Account of SIDNEY EISEN, as Committee, verified the 9th day of May, 1972, the undersigned will move before this Court at a Special Term, Part I thereof, to be held at the County Court House located at 851 Grand Concourse, in the Borough of Bronx, City and State of New York, on the 31st day of May, 1972, at 9:30 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard for an order granting the following relief:

1. Judicially settling the Final Account of the Committee and discharging the Committee and surety on its bond;
2. Fixing the statutory commissions due to the Committee;



3. Granting reasonable compensation to the Attorney-committee for legal services rendered herein;

4. Directing that the balance be paid to the Substitute Committee

and for such other and further relief as to the Court may seem just and proper.

PLEASE TAKE FURTHER NOTICE that the action or proceeding has not been assigned to an Individual Calendar Part in accordance with the order of the Appellate Division, First Department, dated June 8, 1970.

Dated: New York, New York
May 15, 1972

Yours, etc.,

SIDNEY EISEN
Committee pro se
Office & P. O. Address
401 Broadway
Borough of Manhattan
New York, New York 10013

to: Hon. LOUIS J. LEFKOWITZ
Attorney General of the State
of New York and Attorney for
Matteawan State Hospital
80 Centre Street
New York, New York 10013

MIRIAM M. ROBINSON, Esq.
Guardian ad Litem
10 East 40th Street
New York, New York 10016 645-1708

FIDELITY & DEPOSIT CO. OF MARYLAND
Society
140 William Street
New York, New York 10038

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
In the Matter of the Judicial Settlement of the Final Account of SIDNEY EISEN, Committee of the Person and Property of

LAURENCE P. MULLAN,

PETITION

Index No. 1627/1971

a patient at Matteawan State Hospital.
-----X

TO THE SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX:

The petition of SIDNEY EISEN, the Committee of the person and property of LAURENCE P. MULLAN, a patient at Matteawan State Hospital, respectfully shows to this Court and alleges:

1. That your petitioner maintains an office at 401 Broadway, New York, New York, and was appointed Committee of the person and property of the above named patient by an order of this Court made and entered on November 23, 1971.

2. That your petitioner duly qualified as such Committee by filing a bond with the Court in the sum of \$25,000.00, issued by the Fidelity & Deposit Co. of Maryland, which is now in force, together with his designation of the Clerk of this Court, and thereafter a commission was duly issued to him on or about December 8, 1971.

2

1/2/92

EX-24
PAGE 2
2/14/92

Edmund S. ...

CLERK OF COURT
MAY 4 1992
1111

State of New York
DEPARTMENT OF CORRECTIONAL SERVICES

MATTEAWAN STATE HOSPITAL
Beacon, New York (12508)

AREA CODE 914-831-4800

W. C. Johnston, M. D.
Director

Departmental policy permits patients to mail confidential and sealed letters to governmental executives, courts and attorneys in view of objectives of re-socialization of patients and assistance in solution of personal and legal problems.

IF the patient writer raises a problem over which this Correctional Facility or the Department of Correctional Services has jurisdiction, you may wish to write to me or to the Commissioner of Correctional Services, Department of Correctional Services, Albany, New York 12225.

If the patient writer encloses for forwarding purposes, correspondence addressed to another person, please return same to me or to the Commissioner.

In your reply to the patient, we would appreciate it if you will limit the content to matters involving the patient's own situation, and that there be nothing else sent in these confidential letters. The reason for our concern is that since initiating this more liberal policy we have noted that contraband has been sent in to some of the institutions via this route. We know that in almost all instances it has been unintentional, but it is nonetheless serious.

Sincerely yours,

W. C. Johnston
W. C. Johnston, M.D.
Director

March 27, 1972

Mr. Lawrence Mullan 14146
Box 307
Beacon, New York 12508

Re: Matter of Laurence P. Mullan
Index No. 1627/1971

Dear Sir:

In answer to your letter of March 20th, please be advised that the records of this court indicate that on November 26, 1971 Mr. Justice George Starke of this court appointed Sidney Eisen, Esq. of 401 Broadway, New York City, as your committee. This appointment was made on application of the Attorney General of the State of New York. The committee performs his duties under the supervision of the court.

In addition, I wish to advise you that Mr. Eisen has made an application for leave to resign as your committee and for the appointment of a substitute committee. This application is returnable at Special Term, Part I of this court on March 31, 1972. The court has required that you be served by Mr. Eisen with notice of this application.

If you desire to present to the court any matter relating to this application, you may have an affidavit prepared and mailed to this court so that it will be received on or about that date.

Very truly yours,

IRVING W. WEINBLATT

Lawrence Mullan #14146
Ward 6

March 20, 1972

Bronx Supreme Court
161st and Grand Concourse
Bronx, New York

1627/71
SPECIAL COURT I

MAR 21 1972

Attention Please Court Clerk
SUPREME COURT BRONX CO.

Dear Sir

On September, 1971 I received some papers referring to a hearing to appoint a committee for me. The court mentioned was: The Bronx Supreme Court, Special Term, Part I with a calendar date of October 29, 1971. My name is Lawrence Patrick Mullan.

If you could supply answers to the following questions, it would be greatly appreciated

- ① Who was the judge presiding over my committee appointment hearing?
- ② What was the date of my committee's appointment?
- ③ Are there any unusual restrictions upon the functions of my committee recorded?

Thank you for your time and considerations

Respectfully Yours,
Lawrence Mullan
Lawrence Mullan

SIDNEY EISEN
COUNSELLOR AT LAW

WORTH 6-1488
1487

401 BROADWAY
NEW YORK, N.Y. 10013

March 27, 1972

Supreme Court, Special Term, Part I
851 Grand Concourse
Bronx, New York 10451

RECEIVED
MARCH 28 1972
SUN... CO.

Re: Matter of Laurence P. Mullan
Index No. 1627/1971

Attention Mr. Weinblatt

Dear Mr. Weinblatt:

In accordance with our understanding, I am enclosing herewith Affidavit of Service, duly executed and acknowledged, showing service upon the parties pursuant to the terms of the Order to Show Cause.

In view of the fact that March 31, 1972, the return date of the motion, is a holiday, and I will therefore be unable to appear before the Court in support of the application, might I kindly ask you to ask the Court's permission, on my behalf, to mark the said motion "Submitted".

Thanking you sincerely for your cooperation,

Yours very truly,



SE:B

Enclosure.

RECEIVED PART I
PAPERS SUBMITTED



NEW YORK STATE
ATTORNEY GENERAL
LOUIS J. LEFKOWITZ
80 CENTRE STREET
NEW YORK, N. Y. 10018

An informed Consumer
Is The
Best Protection
Against Fraud



CLERK
Special Term, Part I
Supreme Court-Bronx County
851 Grand Concourse
Bronx, New York 10451

000033

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss.:

Iris Padial being duly sworn, deposes and says
that she is employed in the office of the Attorney General of the
State of New York, the Attorney for Matteawan State Hospital herein. On the 29th
day of March, 1972 she served the annexed upon the following named persons:

SIDNEY EISEN, ESQ.
401 Broadway
New York, N. Y. 10013

JAMES F. MULLAN
6231 Broadway
Bronx, New York

and party in the within entitled proceeding by depositing a true and correct copy, properly
enclosed in a post-paid wrapper, in a post-office box regularly maintained by the Government of the United States
at 80 Centre Street, New York 13, N. Y., directed to said Attorney / and party at the addresses within the State designated
by them for that purpose.

Sworn to before me this
29th day of March, 1972.

James P. [Signature]
Assistant Attorney General of
the State of New York

FILED
MAR 29 1972
[Signature]

Index No. 1627/1971
SUPREME COURT: STATE OF NEW YORK
BRONX COUNTY

In the Matter of
LAURENCE P. MULLAN,
An Incompetent Person

NOTICE OF APPEARANCE OF THE
ATTORNEY GENERAL OF THE
STATE OF NEW YORK

LOUIS J. LEFKOWITZ
Attorney General and
Attorney for State Hospital
Office and Post Office Address
Capital, Albany, N. Y.
New York City Office
80 Centre Street
Borough of Manhattan
New York 13, N. Y.

Minist

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

In the Matter of

LAURENCE P. MULLAN,

An Incompetent Person.

Index No. 1627/1971

Sirs:

PLEASE TAKE NOTICE that the Attorney General of the State of New York appears herein ~~as counsel of the State~~ and as Attorney for the ~~Director of the~~ State Hospital wherein the above named incompetent is or was a patient and demands that a copy of all papers in this proceeding be served on him at his New York office, at 80 Centre Street, New York 13, N. Y.

Dated: New York, March 29, 1972

Yours, etc.,

LOUIS J. LEFKOWITZ
Attorney General of the State of New York and
Attorney for ~~Director of~~ Matteawan State
Hospital.

By *Louis Frank*
LOUIS FRANK
Assistant Attorney-General
Office & P. O. Address
New York City Office
80 Centre Street
New York 13, N. Y.

TO: SIDNEY EISEN, ESQ.
401 Broadway
New York, N. Y. 10013

JAMES F. MULLAN
6231 Broadway
Bronx, New York

319

FILED

MAY 4 1972

PROCTER & KENDRICK

SUPREME COURT, JERSEY COUNTY

In the Matter of

LAURENCE P. MULLAN

A Patient at

Matteawan State Hospital

AFFIDAVIT OF SERVICE

SIDNEY EISEN
Petitioner

Attorney for
Office and Post Office Address, Telephone

401 BROADWAY
BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013
WO 6-1484-2

To

Attorney(s) for

Service of a copy of the within

Deed,

is hereby authorized.

Subscribed for

Notary Public

I, _____, Notary Public in and for the State of New York, do hereby certify that the within is a true and correct copy of the original as shown to me by the petitioner.

Yours, etc.

SIDNEY EISEN

Office and Post Office Address
401 BROADWAY

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013

To

Attorney(s) for

Service of a copy of the within

Deed,

is hereby authorized.

Subscribed for

Yours, etc.

SIDNEY EISEN

Office and Post Office Address
401 BROADWAY

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013

To

Attorney(s) for

Service of a copy of the within

Deed,

is hereby authorized.

Subscribed for

300000

STATE OF NEW YORK, COUNTY OF

CORPORATE VERIFICATION

The undersigned, an attorney admitted to practice in the courts of New York State, certifies that the within copy has been compared by the undersigned with the original copy.

STATE OF NEW YORK, COUNTY OF

AFFIDAVIT AFFIRMATION

The undersigned, an attorney admitted to practice in the courts of New York State, shows that deponent is (a) of record in the within action; that deponent has read the foregoing and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters deponent believes it to be true. Deponent swears that the above verification is made by deponent and not by

The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows:

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.

STATE OF NEW YORK, COUNTY OF

ss.:

INDIVIDUAL VERIFICATION

Deponent is the read the foregoing. The same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters deponent believes it to be true. Sworn to before me, this day of 19

, being duly sworn, deposes and says that in the within action; that deponent has and knows the contents thereof; that

STATE OF NEW YORK, COUNTY OF

ss.:

CORPORATE VERIFICATION

of being duly sworn, deposes and says that deponent is the corporation in the within action; that deponent has read the foregoing and knows the contents thereof; and that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters deponent believes it to be true. This verification is made by deponent because is a corporation. Deponent is an officer thereof, to-wit, its The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows:

, being duly sworn, deposes and says that deponent is the corporation

Sworn to before me, this day of 19

STATE OF NEW YORK, COUNTY OF

ss.:

AFFIDAVIT OF SERVICE BY MAIL

being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at That on the day of 19 deponent served the within attorney (s) for in this action, at the address designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States post office department within the State of New York. Sworn to before me, this day of 19

STATE OF NEW YORK, COUNTY OF

ss.:

AFFIDAVIT OF PERSONAL SERVICE

Deponent swears, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at on the day of 19 at No. deponent served the within upon the person herein, by delivering a true copy thereof to personally. Deponent knew the person so served to be the person mentioned and described in said papers as the Sworn to before me, this day of 19

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
In the Matter of

LAURENCE P. MULLAN

A Patient at

Matteawan State Hospital
-----X

Index No. 1627/1971

AFFIDAVIT OF SERVICE

FILED

SPEECH

MAR 28 1972

SUPREME COURT BRONX CO.

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

BERNICE LEFFERT, being duly sworn, deposes and says that deponent is not a party to this action, is over twenty-one (21) years of age and resides at 401 Broadway, New York City, New York.

That on the 23rd day of March, 1972, deponent served the order to show cause and petition annexed thereto in the within proceeding upon DR. W. C. JOHNSTON, Director of the Matteawan State Hospital, at State of New York Department of Correctional Services, Matteawan State Hospital, Beacon, New York 12508; upon LAURENCE P. MULLAN, # 14146, Box 307, Ward 6, Beacon, New York 12508; upon the ATTORNEY GENERAL OF THE STATE OF NEW YORK at 80 Centre Street, New York, New York 10013, and upon FIDELITY & DEPOSIT COMPANY OF MARYLAND, at 140 William Street, New York, New York 10038, the addresses designated by said parties for that purpose, by depositing a true copy of same enclosed in postpaid properly addressed wrappers, in an official depository under the exclusive care and custody of the United States post office department within the State of New York.

Sworn to before me this
23rd day of March, 1972

Bernice Leffert

JACOB BROTHMAN
Notary Public, State of New York
1972

FILED

MAY 4 1972

PROPERTY CLERK'S OFFICE

2/13

DSC *Comptroller or Controller etc* 3/31 16
 NEW YORK SUPREME COURT — COUNTY OF BRONX
 SPECIAL TERM, PART I.

IN RE: LAURENCE P MULLAN
 INCOMPETENT

INDEX NUMBER 1627,71

Present:

Hon. Andrew R. Tyler
Justice

*268^a
P*

*Sub
 Sm for all papers*

The following papers numbered 1 to 8
 read on this motion permitted
 this 31 day of March 1972
 Calendar No. 16

	PAGE NUMBER
Notice of Motion and Affidavits Annexed	2
Order to Show Cause and Affidavits Annexed <i>Filed 3/24/72</i>	1
Answering Affidavits <i>Attorney General</i>	3-4
Replying Affidavits	
Affidavits	
Filed Papers (County Clerk's Office) <i>21 de la Cour Sup. Sunday F 11/26/72</i>	8
Notice of Examination and Pleadings	
Exhibits <i>Letter on motion</i>	5
Copies Papers: <i>Letter from incompetent and reply letter re: Committee</i>	6-7
Referee's Report	
Stenographer's Minutes	
Stipulation	

Upon the foregoing papers this motion is granted. The committee
is permitted to resign and to file his final
account and move for judicial withdrawal within
thirty days from the date of entry of this order.
With the order with provision for
the appointment of a substitute committee.

FINKELSTEIN & ROBINSON
COUNSELLORS AT LAW

10 EAST 40th STREET
NEW YORK, N. Y. 10016
MURRAY HILL 5-5108

August 21, 1972

Selig Lenefsky, Esq.
277 Broadway
New York, New York

Dear Mr. Lenefsky:

I enclose herewith a copy of letter received from
Mr. Laurence Mullen, together with a copy of my
response thereto.

I do not know whether you have qualified as substitute
committee, but felt you were the person to whom this
inquiry should be addressed.

Very truly yours,

Miriam M. Robinson
Miriam M. Robinson

MMR/dw
Enc.

At a Special Term, Part I of
the Supreme Court of the State
of New York, held in and for the
County of Bronx, at the County
Court House, Borough of Bronx,
on the 46 day of *September* 1972.

P R E S E N T :

HON. ANDREW R. TYLER,
JUSTICE

-----x
In the Matter of
LAURENCE P. MULLAN
a Patient at
Matteawan State Hospital
-----x

ORDER

Index No. 1627/1971

SIDNEY EISEN, the Committee of the Person
and Property of the above named patient, having moved by an
order to show cause, made and entered on the 23rd day of
March, 1972, for an order granting him leave to resign as
Committee of the above named patient, leave to apply for a
judicial settlement of his account of this proceeding and
for the appointment of a Substitute Committee, and for such
other and further relief as to this Court may seem just and
proper,

NOW, on reading and filing the order to show
cause dated March 23, 1972, the petition of SIDNEY EISEN, Esq.,
the Committee herein, duly verified the 22nd day of March,
1972, with proof of due service thereof upon DR. W. C. JOHNSON,
Director of the Matteawan State Hospital, LAURENCE P. MULLAN,
the patient herein, the Attorney General of the State of New

000013

York, the Fidelity and Deposit Company of Maryland, the surety, and MIRIAM M. ROBINSON, Esq., the Guardian ad Litem, in support of the said application; the notice of appearance of the Attorney General of the State of New York and attorney for the said hospital, dated March 29, 1972, the exhibits consisting of a letter from the patient and a reply letter thereto; and after hearing SIDNEY EISEN, the Committee pro se in support of the said motion, and no one appearing in opposition thereto, and after due deliberation having been had thereon, and the opinion of the Court having been filed, it is

ORDERED, that the motion of the Committee for leave to resign and to apply for a judicial settlement of his account, be and the same is hereby granted, and it is further

ORDERED, that SIDNEY EISEN, Esq., the Committee herein, be and he is hereby granted leave to resign as Committee of the person and property of the patient named herein; and to file his Final Account and to move for a judicial settlement of his Final Account within thirty (30) days from the date of the entry of the within order, and it is further

ms
8/2

ORDERED, that ²⁴⁴ ~~SIDNEY EISEN~~ Nathan Mitchell, Esq., residing at ~~244~~ Broadway, N.Y. C. County of New York, State of New York, be and is hereby appointed Substitute Committee of the person and property of the said patient, and the said Substitute Committee is hereby directed to file in the office of the Clerk of the said County


0-8-0-0-1-4

of Bronx, his designation of the Clerk of this Court, pursuant to Article 5A of the Mental Hygiene Law, and it is further

ORDERED that the bond heretofore filed by the Committee in the sum of \$25,000.00, pursuant to Article 5A of the Mental Hygiene Law, shall remain the bond of the Substitute Committee, and it is further

ORDERED, that upon the filing of the said designation, a commission in due form of law shall be issued to such Substitute Committee by the Clerk of this Court.

E N T E R,


A. R. T.
J. S. C.

STATE OF NEW YORK, COUNTY OF

... an attorney admitted to practice in the courts of New York State, having read the ... has been compared by the undersigned with the ...

STATE OF NEW YORK, COUNTY OF

... an attorney admitted to practice in the courts of New York State, shows that ... that deponent has read the foregoing ... that the same is true to deponent's own knowledge, except as to the matters ... and belief, and that as to those matters deponent believes it to be true ... the verification is made by deponent and not by

The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows: ... deponent affirms that the foregoing statements are true, under the penalties of perjury.

STATE OF NEW YORK, COUNTY OF

... being duly sworn, deponent ... in the within action, and deponent ... and knows the contents thereof ... and knows the contents thereof ... day of 19

STATE OF NEW YORK, COUNTY OF

... being duly sworn, deponent and says that deponent ... read the foregoing ... the corporation ... Deponent is an officer thereof, to-wit, its ... day of 19

STATE OF NEW YORK, COUNTY OF

... being duly sworn, deponent and says that deponent is not a party to the action, is over 18 years of age and resides at ... day of 19 deponent served the within ... in this action, at ... the address designated by said attorney(s) for that purpose ... under the exclusive care and custody of the United States post office department within the State of New York. ... day of 19

STATE OF NEW YORK, COUNTY OF

... being duly sworn, deponent and says that deponent is not a party to the action, is over 18 years of age and resides at ... day of 19 at No. ... deponent served the within ... hereto, by delivering a true copy thereof to ... personally. Deponent knew the ... day of 19

RECEIVED
JUN 17 1972
BY MISS MARY FAYE

8/129

In the Matter of

LAURENCE P. MULLAN

A Patient at

Mattavan State Hospital

ORDER

SIDNEY EISEN

Substitute Committee PRO SE

Office and Post Office Address, Telephone
401 BROADWAY
BOROUGH OF MANHATTAN NEW YORK, N. Y. 10012
WB 6-12623

To

Attorneys for

Service of a copy of this order

Send

in plain envelope

Return to

Post Office 28, 1972

SIDNEY EISEN

Substitute Committee PRO SE

Office and Post Office Address
401 BROADWAY

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10012

To
Louis J. Laffowitz, Esq.
Substitute Committee
of the State
of N. Y.

Address of attorney

City and State where this is made

of which the within is a true copy will be presented
for enforcement to the Hon.

one of the Judges of the within named Court, at

on the day of 19

at N. Y.

Done, New York, N. Y.

SIDNEY EISEN

Office and Post Office Address
401 BROADWAY

BOROUGH OF MANHATTAN NEW YORK, N. Y. 10012

To

Return to

County Clerk, Bronx County
Application for INDEX NUMBER
pursuant to Section 8018, CPLR
FEE \$5.00

Index Number
1627 1971
Do not write in this space.

Spaces below to be TYPED or
PRINTED in by applicant.

TITLE OF ACTION OR PROCEEDING

SUPREME COURT: *BRONX* QUEEN'S COUNTY

In the Matter of the Appointment
of a Committee of

LAWRENCE P. MULLAN

July 27

BB
BB

A PATIENT

Name and address of
Attorney for Plaintiff
or Petitioner.

LOUIS J. LEFKOWITZ-Attorney General
80 Centre Street, New York, New York

Name and address of
Attorney for Defendant
or Respondent.

Name, address and
telephone number of
person paying fee.

Indexed by _____

Entered by _____

Do not write on line above.

DO NOT DETACH

At a Special Term, Part ^I~~II~~, of the
Supreme Court of the State of New
York, held in and for the County of
Bronx, at the County Courthouse,
Borough of Bronx, on the 23 day
of March, 1972

P R E S E N T:

HON. ANDREW R. TYLER

JUSTICE

-----X

In the Matter of

LAURENCE P. MULLAN

a Patient at

Matteawan State Hospital

Index No. 1627/1971

ORDER TO SHOW CAUSE

-----X

On reading and filing the annexed petition
of SIDNEY EISEN, Esq., the Committee of the person and pro-
perty of the above named patient, duly verified the 22rd day
of March, 1972, and on motion of SIDNEY EISEN, Esq., the
petitioner herein, and sufficient cause therefor appearing,
it is hereby

ORDERED, that DR. W. C. JOHNSTON, Director
of the Matteawan State Hospital, LAURENCE P. MULLAN, the
patient herein, the Attorney General of the State of New
York, and Fidelity and Deposit Company of Maryland, the surety
herein, show cause at a Special Term, Part I of this Court,
to be held at the County Court House, located at 851 Grand
Concourse, in the Borough of Bronx, City and State of New York

on the 31st day of March, 1972, why an order should not be made and entered granting the Committee leave to resign, leave to apply for a judicial settlement of the account of this proceeding, for the appointment of a substitute Committee of the person and property of the above named patient and why the said petitioner should not have such other and further relief as to this Court may seem just and proper, and it is further

aps
3-5c

ORDERED that Miriam Robinson, Esq.
of 20 W. 40th St NYC New York, be and he is hereby appointed Guardian ad Litem to protect the interests of the patient herein mentioned upon the judicial settlement of the account of the Committee herein, and it is further

ORDERED, that service of a copy of this order and a copy of the annexed petition, upon the parties hereinbefore named, by depositing the same in a post paid wrapper, addressed to their respective post office addresses, in a post office box regularly maintained by the United States Government, on or before the 24 day of March, 1972, shall be deemed good and sufficient.

E N T E R ,

aps
J. S. C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----x

In the Matter of
LAURENCE P. MULLAN
a Patient at
Matteawan State Hospital

-----x

TO THE SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX:

The petition of SIDNEY EISEN, respectfully shows
and alleges:

1. That your petitioner is an attorney-at-law
with offices at 401 Broadway, New York City, New York, and the
Committee of the person and property of LAURENCE P. MULLAN, the
above named patient.

2. That on the 23rd day of November, 1971, your
petitioner was duly appointed Committee of the person and pro-
perty of LAURENCE P. MULLAN, the above named patient. That im-
mediately thereafter on or about the 1st day of December, 1971,
your petitioner caused to be filed in the office of the Clerk
of this Court, a bond issued by the Fidelity and Deposit Com-
pany of Maryland, located at 140 William Street, New York City,
New York, in the sum of \$25,000.00, as provided for in the order
of this Court, and caused to be filed a designation of the Clerk
of this Court, pursuant to Article 5A of the Mental Hygiene Law.
That thereafter your petitioner received three (3) certified
copies of the Commission issued by the Clerk of this Court.

000021

3. Subsequently, your petitioner collected nearly all of the funds that are due and owing to the patient and caused the same to be deposited in the savings bank, as will be indicated in the judicial settlement of his account; made application to the Social Security Board to enable the patient to receive Social Security benefits, and arranged that payments were to be made directly to the Matteawan State Hospital, for the benefit of the patient, wherein he is now confined.

4. The patient has indicated in his correspondence to the petitioner that he would prefer that his Committee should be an attorney with experience in the practice of criminal law. Under the circumstances, your petitioner deems it advisable and believes that it is for his best interests to respectfully ask the Court to grant him leave to resign, to appoint a substitute committee in his place, and to appoint a guardian ad litem to protect the interests of the patient upon the judicial settlement of the account of the Committee.

5. That no previous application for the relief herein sought has ever been made.

WHEREFORE, your petitioner prays for an order to show cause, directed to the persons herein named, requiring them to show cause why the petitioner should not be granted the relief herein requested.

Dated: New York, N. Y.
March 22, 1972



STATE OF NEW YORK)
COUNTY OF NEW YORK)

SIDNEY EISEN, being duly sworn, deposes
and says that he is the petitioner in the within proceeding;
that he has read the foregoing petition and knows the contents
thereof; that the same is true to his own knowledge, except
as to the matters therein stated to be alleged on information
and belief, and that as to those matters, he believes it to be
true.

Sworn to before me this
22nd day of March, 1972

Max Moot

MAX MOTOJA
Notary Public, State of New York
No. 24-0001299
Qualified in Kings County
Commission Expires March 28, 1972

Sam J...

STATE OF NEW YORK, COUNTY OF
I, the undersigned, being duly sworn, depose and say that the foregoing
statements are true, under the penalties of perjury.

AFFIDAVIT OF SERVICE

I, the undersigned, being duly sworn, depose and say that the foregoing
statements are true, under the penalties of perjury.

That on the _____ day of _____, 19____
deponent served the within _____ attorney(s) for
in this action, at _____ the address designated by said attorney(s) for that purpose,
the address designated by said attorney(s) for that purpose, in _____ a post office _____
under the exclusive care and custody of the United States post office department, at within the State of New York.

INDIVIDUAL VERIFICATION

I, the undersigned, being duly sworn, depose and say that
in the within action, that deponent has
and knows the contents thereof; that
deponent is made by deponent and not by
deponent is an officer thereof, to-wit, its
deponent is an officer thereof, to-wit, its

CORPORATE VERIFICATION

I, the undersigned, being duly sworn, depose and say that deponent is the
the corporation
read the foregoing
deponent's own knowledge, except as to the matters therein
deponent believes it to be true.
deponent is made by deponent because
Deponent is an officer thereof, to-wit, its
deponent's knowledge are as follows:

AFFIDAVIT OF SERVICE BY MAIL

I, the undersigned, being duly sworn, depose and say, that deponent is not a party to the action, is over 18 years of age and resides at
deponent served the within _____ attorney(s) for
in this action, at _____ the address designated by said attorney(s) for that purpose,
the address designated by said attorney(s) for that purpose, in _____ a post office _____
under the exclusive care and custody of the United States post office department, at within the State of New York.

AFFIDAVIT OF SERVICE

I, the undersigned, being duly sworn, depose and say that deponent is not a party to the action, is over 18 years of age and resides at
deponent served the within _____ attorney(s) for
in this action, at _____ the address designated by said attorney(s) for that purpose,
the address designated by said attorney(s) for that purpose, in _____ a post office _____
under the exclusive care and custody of the United States post office department, at within the State of New York.

FILED
MAR 2 1957
NEW YORK COUNTY CLERK'S OFFICE

Attorney for
Mittelman State Hospital
a Plaintiff, et
al.

Mittelman State Hospital

ORDER TO SHOW CAUSE
AND PETITION

SIDNEY EISEN
Petitioner

Office and Post Office Address, Franklin
401 BROADWAY
COURT HOUSE BUILDING NEW YORK, N. Y. 10038
New York

Attorney for

Order of a court of the United States

Attorney for
Mittelman State Hospital
a Plaintiff, et
al.

Office and Post Office Address
Mittelman State Hospital
1000 10th Avenue
New York, N. Y. 10018

ORDER TO SHOW CAUSE
AND PETITION

SIDNEY EISEN
Petitioner

Office and Post Office Address, Franklin
401 BROADWAY
COURT HOUSE BUILDING NEW YORK, N. Y. 10038
New York

Attorney for

Order of a court of the United States

FINKELSTEIN & ROBINSON
COUNSELLORS AT LAW

10 EAST 40th STREET
New York, N.Y. 10016
NUNBER 222 8-0100

August 21, 1972

Mr. Lawrence Mullen, # 141A6
Box 307, Ward 6
Brooklyn, New York 11208

Dear Mr. Mullen:

I am in receipt of your letter and regret that there is very little that I can do to assist you. My designation by the Court was for a very limited purpose. I appeared on your behalf in connection with the accounting filed by your former Committee, Sidney Eisen.

It is my understanding that a new Committee has been designated on your behalf, Mr. Selig Lenefsky, of 277 Broadway, New York City. It is to him that Mr. Eisen will turn over whatever funds are part of the assets attributable to you.

I recommend that you address your inquiry to Mr. Lenefsky, to whom I am sending both a copy of this letter and a copy of your letter addressed to me.

Very truly yours,

Miriam M. Robinson

MMR/dw
cc: Selig Lenefsky, Esq.
277 Broadway
New York City, N. Y.

SIDNEY EISEN
COUNSELLOR AT LAW

WORTH 8-1488
1487

401 BROADWAY
NEW YORK, N.Y. 10013

June 28, 1972

Selig Lenefsky, Esq.
277 Broadway
New York, New York 10007

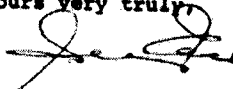
Re: Matter of Laurence P. Mullan

Dear Mr. Lenefsky:

Enclosed herewith please find copy of Order of Judge Tyler, appointing you Substitute Committee of the above named patient.

Upon the issuance of the commission to you by the Clerk of the Court, and your filing of the designation, I will communicate with you for the purpose of turning over to you the balance of the funds belonging to the patient.

Yours very truly,



SE:B

Enclosure.

SIDNEY EISEN
COUNSELLOR AT LAW

401 BROADWAY
NEW YORK, N.Y. 10013

FILED
MAR 29 1973

March 26, 1973

2/6/73

Hon. Andrew R. Tyler
Justice of the Supreme Court
851 Grand Concourse
Bronx, New York 10451

wrong index

Re: Matter of Laurence P. Mullan
Patient at Matteawan State Hospital
Index No. 1672/1971 1627/72

Honorable Sir:

Pursuant to the terms of an order made by the Court in the above proceeding, dated June 16, 1972, the Court appointed Selig Lenefsky, Esq. of 277 Broadway, New York, New York, as Substitute Committee of the person and property of the above named patient.

Despite numerous requests that the Substitute Committee qualify and receive the assets of the incompetent, to date he has refused and failed to do so.

Under the circumstances, might I respectfully ask the Court to either modify the said order or enter a new order appointing a new Substitute Committee, particularly in view of the fact that the undersigned has been discharged by an order of the Court entered on August 11, 1972.

Respectfully submitted,

[Signature]

SE:B

cc.: Mr. I. Weinblatt

SIDNEY EISEN
COUNSELLOR AT LAW

WORTH 6-1488
1987

401 BROADWAY
NEW YORK, N.Y. 10013

for 3/31

March 23, 1972

Supreme Court, Special Term, Part I
851 Grand Concourse
Bronx, New York 10451

Re: Matter of Laurence P. Mullan
Index No. 1627/1971

Attention Mr. Weinblatt

Dear Mr. Weinblatt:

In accordance with our understanding, I am enclosing herewith Order to Show Cause and Petition, which is self explanatory.

Might I kindly ask you to fill in the return date and the last day for service to be made. I am also enclosing herewith a copy of the said order, so that you may conform the same, and return the same to me in the enclosed self addressed stamped envelope.

Thanking you sincerely for your cooperation and for your courtesies,

Yours very truly,
[Signature]

SE:B

Enclosure.

SUPREME COURT OF THE STATE OF NEW YORK
FIRST JUDICIAL DEPARTMENT
MENTAL HEALTH INFORMATION SERVICE
27 MADISON AVENUE, NEW YORK, N.Y. 10010
LEXINGTON 2-1000

SIMON ROSENZWEIG
DIRECTOR

November 19, 1971

1627/21

Mr. Irving W. Weinblatt
Clerk
Special Term, Part I
Supreme Court
851 Grand Concourse
Bronx, New York 10451

Dear Mr. Weinblatt:

Enclosed please find the reports of the
Mental Health Information Service with regard to the
committeeship proceedings for Lourence P. Mullan,
which was returnable on October 29, 1971, and Arling
Waldron, which was returnable on November 10, 1971.

Sincerely,

Simon
Simon Rosenzweig

SR:mw
Enclosures

file

FILED
SPECIAL TERM PART I
NOV 22 1971
SUPREME COURT BRONX CO.

① that I have coming to me, in the amount of \$25,000. However, it is currently reposing at an outside bank and thus is of no use to me at the present time.

Applications to the Social Security Department have been made by myself. The earliest such application was made, by myself, again through the Social Services Department, in March, 1971. It and consequent efforts have yielded no results. My committee informed me on February 3, 1972 that he had held several conferences with the Social Security Board and that he had filed application on my behalf. He stated in the same letter that I or the hospital authorities here should have already received, or will be receiving the relief checks "in the very near future".

As I have mentioned before, Mr. Eisen, on March 22, 1972, filed an Order to Show Cause why he should not be relieved of my committee ship, to the Bronx Supreme Court. As far as I have been informed, no further action by the parties involved has taken place.

The fact does remain, however, that I am still in the position of a financially well-off, yet destitute individual. I must assume that the title of "Guardian ad Litem", which was given to you by the court, carries some measure of authority and empowerment with it. It is on this assumption that I respectfully entreat you to provide me with some information, and help in alleviating my present state of affairs.

To be perfectly frank, madam, I would like to know what the cause of the delay is in respect to my reception of Social Security relief. Do you have any idea as to when such payments will commence? Is there anything that you could do, or any course of action that you could advise

①

Lawrence Mullan #14146
Box 307 Ward 6
Beacon, New York 12508

Miss Miriam Robinson
10 East 40th St.
New York, N.Y.

Dear Madam:

Please excuse my bluntness, but you are a very difficult person to get in contact with. I wrote two letters to what turned out to be incorrect addresses of your office, once on March 26th to West 40th St, as supplied to me in my copy of Mr. Eisen's Show Cause Order; and once to 10 West 40th St as your address was listed in the 1970 edition of the Manhattan Telephone Directory. They were both returned in the mails with the Postal Department notice of "addresse unknown" I finally obtained your correct address through the Social Services Department here at Matteawan. I wrote to you on May 8th and never received a reply.

I have also written to Mr. Eisen, who, according to the Deputy Calander Clerk of Bronx Supreme Court, Sue Ginsberg, still retains my committee ship. My last letter to him was also mailed on May 2th and again, no reply.

The reason I am trying to contact you or Mr. Eisen is that I am in what can best be described as a financially desperate situation. I have been informed by various sources, including Mr. Eisen and the Mental Health Information Service that I am definitely entitled to Social Security benefits since I have been retaining a commissary balance of zero for several months now, immediate help is very much needed. Mr. Eisen has collected insurance money

2/314

16
SEARCHED INDEXED
SERIALIZED FILED
NOV 26 1971
FBI - MEMPHIS

FILED
NOV 26 1971
BRADLEY COUNTY CLERK'S OFFICE

RECEIVED
NOV 26 1971
MISSISSIPPI APPELLATE COURT
FIRST DEPARTMENT

RECEIVED
NOV 26 1971
MISSISSIPPI APPELLATE COURT
FIRST DEPARTMENT

RECEIVED
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MISSISSIPPI APPELLATE COURT
FIRST DEPARTMENT

JC-888.2 (Nov. 1965)

MHIS (CONCLUDED)
REPORT TO THE COURT - ~~RECORDED~~
PURSUANT TO COMMITTEE PROCEEDINGS

PAGE 5


PATIENT'S NAME	MULLAN, Laurence P.	INSTIT. Matteawan State Hosp.
		IDENT. NO. 117-99-13

as he is considered capable of understanding the charges against him and aiding in his defense so that the criminal prosecution may proceed.

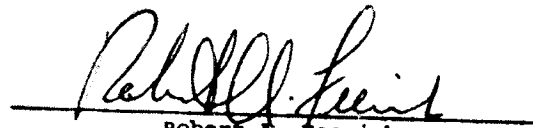
It is the opinion of the Director of Matteawan State Hospital that in the interests of the patient, the Appointment of a Committee of his Person and Property, pursuant to the provisions under Article 5A of the Mental Hygiene Law, is necessary.

The undersigned do hereby certify that they have reviewed the within Report to the Court.

October 27, 1971


Loren Marlowe,
MHIS Counselor

October 27, 1971


Robert A. Feenick,
Supervising Attorney

MHIS
REPORT TO THE COURT - (CONTINUED)
PURSUANT TO COMMITTEE PROCEEDINGS

PATIENT'S NAME	MULLAN, Laurence P.	INSTIT. Matteawan State Hosp. IDENT. NO. 117-99-13
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VIII. MHIS SUMMARY

Interview with Patient:

The patient was interviewed at Matteawan State Hospital on October 14, 1971, at which time he was advised of his rights pursuant to the Appointment of Committee proceedings which include the right to a hearing and the right to representation by counsel privately engaged by the patient.

The patient stated he had no objection to the Appointment of Committee. He indicated he had no personal preference for that Committee, but desires that the Court appoint "an attorney with a criminal background". The patient indicated a high degree of interest in the Appointment of Committee, asking several questions concerning the responsibility of the Committee, how his funds would be preserved and to whom the Committee would be accountable.

Interview with attending Psychiatrist:

The patient's attending psychiatrist, Dr. M. Friedman, was interviewed on October 14, 1971, at which time Dr. Friedman stated that he considered the patient to be incompetent and because of his present mental illness, unable to make any decisions concerning his finances. Patient was described as emotionally unstable and therefore unable to make a decision as to who would best represent his interests. It is the Doctor's opinion that the patient will attempt to seek someone whom he can manipulate. The Doctor described the patient as being immature with poor judgment and lack of insight. At times, his behavior is seclusive and inappropriate. The patient evidences the features of a Schizoid personality.

Alternatives to Hospitalization:

(a) Patient's estate and available income:

The patient is being considered as a distributee of the estates of his mother and father. The total value of these estates is approximately \$52,000.00. The patient also has approximately \$206.72 in a savings account. The hospital records list no other assets for the patient.

(b) Availability of other appropriate setting:

The patient has been indicted on two counts of Murder and is presently in the custody of the Department of Correction of Matteawan State Hospital pursuant to an Order of Commitment of Defendant Incapable of Standing Trial and a designation of that correctional institution as placement of the patient.

(c) Suitability of patient to enjoy or fit into such proposed appropriate setting:

Since the patient is a defendant considered incapable of understanding the charges against him or aiding in his defense, he must remain in the institution designated by the Commissioner of Mental Hygiene until such time

MHIS
REPORT TO THE COURT - (CONTINUED)
PURSUANT TO COMMITTEE PROCEEDINGS

PATIENT'S NAME NULLAN, Laurence P.	INSTIT. Matteawan State Hosp. IDENT. NO. 117-99-13
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V. MEDICAL SUMMARY OF HOSPITAL RECORD

The patient was first admitted to the Bellevue Prison Ward after being charged with killing both of his parents. Prior to that time, the hospital records only list visits to the Bronx Consultation Center by the patient with his parents.

In mental examination on November 16, 1970 at Bellevue, Drs. A. Pontius and Jay Harris described the patient as having a markedly flattened facial expression without expression of any feelings except for mild embarrassment. Patient admitted to "hearing his thoughts aloud at times". However, it was felt that his sense of reality testing was good enough so that he still realized that they were his thoughts. No other evidence of hallucinations was elicited. Patient was described as being in such a state of insanity as to be incapable of understanding the charge, proceedings or of making his defense.

On December 8, 1970, Justice Peter A. Quinn signed an Order of Commitment of Defendant Incapable of Standing Trial. On December 17, 1970, Dr. C. Stamatovich, Assistant Commissioner of the Department of Mental Hygiene, designated Matteawan State Hospital to receive the patient. He was admitted there on December 23, 1970. At the time of admission, the patient was described as cooperative, emotionally flat, denying hallucinations and suicidal ideation. He admitted to heavy drinking and episodes of violence. Patient was generally seclusive.

In mental examination on December 24, 1970, patient was able to describe the events culminating in his being charged with the murder of his parents. At that time, the patient also admitted that he had been drinking heavily. The patient's orientation, remote and recent memory, retention and recall and abstract thinking were described as preserved. His insight and judgment were impaired. Patient admitted to occasional suicide thoughts and a previous suicidal attempt just prior to his arrest. The medical examination revealed two recent sutured linear scars on the dorsal aspect of his left forearm. However, he denied suicidal ideations at the time of his examination.

In the clinical note of January 5, 1971, the patient was described by Dr. E. R. Peterson as having difficulty in expressing his emotions except explosively. He felt people were against him and his fear turned to hatred. It was the Doctor's opinion that he had a certain amount of fear but no hostility. He was considered to have difficulty in interpersonal relations and did not trust his friends.

VI. CURRENT PSYCHIATRIC DIAGNOSIS AND PROGNOSIS

The current psychiatric diagnosis is SCHIZOPHRENIA, PSEUDO, NEUROTIC TYPE, COLORED WITH ALCOHOL. On October 14, 1971, Dr. M. Friedman confirmed the patient's current diagnosis and indicated that the prognosis is guarded.

VII. DATES SEEN BY HOSPITAL DOCTORS

Since admission, the patient has been seen on a regular basis by the Medical Staff. Patient was last seen at length on August 4, 1971. Patient is presently receiving no psychotropic medication. He is described as friendly and cooperative. He does not present a management problem.

(CONTINUED)

MHIS
REPORT TO THE COURT - (CONTINUED)
PURSUANT TO COMMITTEE PROCEEDINGS

PATIENT'S NAME MULLAN, Laurence P.	INSTIT. Matteawan State Hosp. IDENT. NO. 117-99-13
---	---

his brother until he felt able to do so.

IV. EDUCATION, VOCATION, BACKGROUND AND RESOURCES

This 18-year old male was born on July 5, 1953 in the Bronx, N. Y. The patient's relation with his parents is described as mediocre. Prior to August, 1969, he attend the Bronx Consultation Center with his parents. He also attended three or four sessions with the School psychiatrist while in the 9th and 10th Grades. Larry dropped out of school in the second year of High School when he found himself unable to concentrate on his studies and was failing most of his courses. In the 8 or 9 months following this, he remained at home more and more and became fearful of leaving the house. The patient's older brother, who is now 28, was married approximately three years ago. At that time, the rate of his behavior deterioration began to increase. Prior to the events that lead to his hospitalization, the patient had episodes of rage in which he would throw furniture and attack his parents. The patient engaged in a number of pranks. Some of these involved his ham radio, of which he is an operator. When the patient noticed that the transmitting power of his radio had diminished, he became convinced that a number of neighborhood people had stolen his antenna. Also included in the episodes of his mischief were incidents of dropping bags of water and bottles on people's heads. Approximately 9 months prior to his arrest, he became totally seclusive and would not leave the house at all.

For approximately 2 years prior to his admission, the patient engaged in a heavy intake of alcohol. There is no indication that he abused dangerous drugs nor is there any record of criminal arrest prior to the current charges which lead to his hospitalization.

Resources:

The schedule provided MHIS by the Attorney General's Office lists the patient's resources as follows:

1. Social Security Payments
2. Dollar Savings Bank, Grand Concourse, Bronx, N. Y. 10458
Account #591 756 0 -- Balance \$206.72
3. One-half interest of the \$50,000.00 estate of mother and father

On October 22, 1971, Mrs. C. Kirby, Patient Resource Agent at Matteawan State Hospital, indicated that there is no listing in the hospital records of the patient's receiving either Social Security benefits or Veterans Administration benefits. It should be noted that the hospital file contains a letter of August 6, 1971 from the Veterans Administration Regional Office, 252 7th Avenue, New York, N. Y. 10001 indicating that the patient is the son of a veteran and requesting that Matteawan State Hospital forward a complete current hospital report.

In telephone conversation on October 22, 1971, Leo E. Goodwin, Esq., attorney for the Estates of Patrick and Loretta Mullan, parents of the patient, indicated that the assets of the estate have been liquidated into cash with a total value of approximately \$52,000.00.

(CONTINUED)

ALFRED BESUNDER, Director
Mental Health Information Service
Second Judicial Department

JC-888.1 (Nov. 1965)

REPORT TO THE COURT PURSUANT TO
COMMITTEE PROCEEDINGS

TO: SUPREME COURT
BROOK COUNTY

FROM: MENTAL HEALTH
INFORMATION SERVICE

Second Department
Address:

Matteawan State Hospital
Beacon, New York

PATIENT'S NAME		
MULLAN, Laurence P.		(Age: 18)
INSTIT. IDENT. NO.	INSTITUTION	
117-99-13	Matteawan State Hospital	
DATE OF ADMISSION	CURRENT DISMISS. STATUS	DATE OF EXPIR. Indef.
12/23/70	C.C.P. Sec. 662 b	
NAME AND ADDRESS OF PATIENT'S COUNSEL, IF ANY		
NAME AND ADDRESS OF PATIENT'S PSYCHIATRIST, IF ANY		

REPORT

I. COURT ACTION

The present application on the petition of Dr. W. C. Johnston, Director of Matteawan State Hospital, is for an Order adjudging the above-named patient to be unable to conduct his personal or business affairs, and appointing a Committee of the Person and Property of said patient pursuant to the provisions of Article 5A of the Mental Hygiene Law.

This Report was prepared by Loren Marlowe, MHIS Counselor of the Mental Health Information Service, Second Judicial Department, for the purpose of furnishing the Court with pertinent facts to aid in its determination.

The motion is returnable on the 29th day of October, 1971, at 9:30 A. M., Special Term, Part I, Bronx County Supreme Court House, in the Borough of Bronx, City of New York.

II. EVENTS LEADING TO HOSPITALIZATION

On December 8, 1970, an Order for Commitment of Defendant Incapable of Standing Trial, pursuant to Section 662 b of the Code of Criminal Procedure, was signed by Hon. Peter A. Quinn of the Supreme Court of New York County. Pursuant to that Order, Dr. C. Stamatovich, Assistant Commissioner of the Department of Mental Hygiene, on December 17, 1970 designated Matteawan State Hospital as the correctional institution for placement of the patient. The patient was admitted to said institution on December 23, 1970.

At the time of admission, the patient was described as cooperative, coherent, relevant, normally productive and somewhat apprehensive.

III. MARITAL STATUS AND FAMILY

Patient is single. Both of the patient's parents are now deceased. The patient's nearest relative is his brother, James F. Mullan, who resides at 6231 Broadway, New York, N. Y.

MHIS has not followed the usual procedure of notifying known relatives of the proceedings for the Appointment of Committee in this case. The hospital records at Matteawan State Hospital contain a request received by the hospital from the patient's sister-in-law that her husband is not to be contacted concerning any matters involving the patient. Mrs. Mullan indicates that her husband experienced severe psychological stress upon the murder of his mother and father alleged to have been committed by the patient. In seeking psychological treatment, Mr. Mullan was advised to desist from contact with

(CONTINUED)

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----x
In the Matter of the Judicial Settlement
of the Final Account of SIDNEY EISEN,
Committee of the Personan' Property of

LAURENCE P. MULLAN,

a Patient at Matteawan State Hospital
-----x

REPORT OF
GUARDIAN AD LITEM

Index No. 1627/1971

FILED

SPECIAL TERM PART I

JUL 13 1972

TO THE SUPREME COURT OF THE STATE OF NEW YORK:

SUPREME COURT BRONX CO.

I, MIRIAM M. ROBINSON, Esq., Guardian ad
Litem appointed to protect the interests of the above named
patient in this accounting proceeding, do hereby report as
follows:

The Proceeding

The above entitled proceeding was instituted
by SIDNEY EISEN, Esq., Committee of LAURENCE P. MULLAN, and the
petition requests the following relief:

1. The judicial settlement of the
Schedules of the final account of the Com-
mittee;
2. Fixing statutory commis ions due
to the committee;
3. Granting reasonable compensation
to the attorney-committee for legal services;
4. Directing that the balance be paid
to the Substitute Committee.

The Incompetent

LAURENCE P. MULLAN, the incompetent, is a patient at Matteawan State Hospital, having been admitted therein on or about the 23rd day of December, 1970, pursuant to an order made and entered in the office of the Clerk of this Court by Hon. PETER A. QUINN, on December 8, 1970.

Pursuant to an order made and entered on November 23, 1971, by Hon. GEORGE STARKE, a Justice of this Court, SIDNEY EISEN was duly appointed Committee of LAURENCE P. MULLAN, the patient herein. Thereafter, pursuant to an order duly made and entered by Hon. ANDREW B. TYLER on April 28, 1972, the Committee was granted leave to resign, to file his Account and to move for a judicial settlement of his Account. Pursuant to the said order, the Committee filed his Account in the office of the Clerk of this Court on May 15, 1972, served copies of the said Account upon the Attorney General of the State of New York and upon the guardian ad litem herein.

The Account

The final account filed by the Committee shows the origin of the funds of the patient as having been received from the proceeds of a group life insurance policy issued on the life of LORETTA L. MULLAN, the mother of the patient, and one-half (1/2) of the unpaid compensation due to the said LORETTA L. MULLAN, the mother of the patient. These funds were received by the Committee and are reflected in Schedule A of the Account.

Schedule A-1 of the Account contains a statement of the interest earned on the savings account in the Atlantic Bank of New York, which interest is in the sum of \$110.04.

Schedule B of the Account contains a statement of the disbursements made by the Committee, which consists of a premium in the sum of \$115.00 for the bond, and costs allowed to the Matteawan State Hospital in the sum of \$25.00, pursuant to the order appointing the Committee.

I find the schedules to be correct and the payments reasonable, proper and necessary.

Schedule C contains a recapitulation showing a balance on hand in the sum of \$11,281.67, consisting of funds on deposit in the sum of \$10,610.04 in the Atlantic Bank of New York, which is in a savings account, and the sum of \$671.63, the balance in the checking account with the Chemical Bank.

Schedule D sets forth the outstanding claims of the patient, which consists of a one-half (1/2) interest in the estate of his mother and father, and payments due to him from the Social Security Board and Survivors Annuity Board.

On the 13th day of June, 1972, the Committee appeared at my office, at which time I examined the bank statements and the savings passbook and verified the existence of the assets on the terminal date of the Account.

I hereby report that all of the assets listed by the Committee as assets on hand is correct, as set forth in Schedule C.

I examined the computation of commissions in Schedule C and find that the commissions have been properly computed pursuant to statute. Accordingly, I recommend that the commissions be allowed to the Committee in the sum of \$456.87.

As to the Fee Requested by the
Attorney-Committee

I have examined the affirmation of services of the attorney-committee and find that he has fully performed all of the duties required by him as Committee and that he has personally prepared all of the schedules of the Final Account, the motion to settle the account and the proceedings for its final conclusion. Accordingly, I recommend that fair and reasonable compensation be allowed to the attorney-committee.

Conclusions and Recommendations

I respectfully report that I have no objection to the judicial settlement of the account of the attorney-committee as filed herein.


I recommend the allowance of statutory commissions and reasonable compensation to the attorney-committee.

500012

I recommend that the balance remaining shall be paid to the substitute committee.

Dated: New York, New York
~~June~~ July 11, 1972

Respectfully submitted,



Miriam M. Robinson
Guardian-ad-Litem

0-00073

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314

FTTB
AUG 14 1972
BROOK COUNTY CLERK'S OFFICE

Index No. 1 27 Year 19 71

SUBJECT: *[Illegible]*
COUNTY OF *[Illegible]*

NOTICE OF HEARING

Sir: Please take notice that the within is a (certified) true copy of a *[Illegible]* that expires in the office of the clerk of the within named court on 19

[Illegible]
Yours, etc.,
FINKELSTEIN & ROBINSON
Attorneys for
Office and Post Office Address
10 EAST 40TH STREET
MURRAY HILL MANHATTAN NEW YORK N.Y. 10016

ORIGINAL

[Illegible]

TO

Attorney(s) for

NOTICE OF SETTLEMENT

Please take notice that an order of which the within is a true copy will be presented for settlement to the Hon

of the judges of the within named Court, at

19
M
L

[Illegible]
FINKELSTEIN & ROBINSON
Attorneys for
Office and Post Office Address
10 EAST 40TH STREET
MURRAY HILL MANHATTAN NEW YORK N.Y. 10016

FINKELSTEIN & ROBINSON
Attorney(s) for
Office and Post Office Address, Telex or
10 EAST 40TH STREET
MURRAY HILL MANHATTAN NEW YORK N.Y. 10016

To
Attorney(s) for

Service of a copy of the within

Date, is hereby admitted.

Attorney(s) for

100-1167, NOTICE OF SETTLEMENT, INC., 60 EXCHANGE PLACE, N. Y. 1

CERTIFICATION BY ATTORNEY

The undersigned, an attorney admitted to practice in the courts of New York State, certifies that the within has been compared by the undersigned with the original and found to be a true and complete copy.

Dated: _____

ATTORNEY'S AFFIRMATION

STATE OF NEW YORK, COUNTY OF _____

The undersigned, an attorney admitted to practice in the courts of New York State, shows: that deponent is the attorney(s) of record for _____ in the within action; that deponent has read the foregoing and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true. Deponent further says that the reason this verification is made by deponent and not by _____

The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows: _____

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.

Dated: _____

INDIVIDUAL VERIFICATION

STATE OF NEW YORK, COUNTY OF _____

deponent is _____ the _____, being duly sworn, deposes and says that in the within action; that deponent has read the foregoing and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true. Sworn to before me, this _____ day of _____ 19 _____

CORPORATE VERIFICATION

STATE OF NEW YORK, COUNTY OF _____

_____ being duly sworn, deposes and says that deponent is the _____ of _____ named in the within action; that deponent has read the foregoing and knows the contents thereof; and that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters deponent believes it to be true. This verification is made by deponent because _____ is a _____ corporation. Deponent is an officer thereof, to-wit: its _____ The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows: _____

Sworn to before me, this _____ day of _____ 19 _____

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK, COUNTY OF _____

being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at _____

That on the _____ day of _____ 19 _____ deponent served the within Report of Guardian ad Litem upon _____ in this action, at _____ the address designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in _____ a post office _____ depository under the exclusive care and custody of the United States post office department within the State of New York.

Sworn to before me, this _____ day of _____ 19 _____

Robert A. [Signature]

AFFIDAVIT OF PERSONAL SERVICE

STATE OF NEW YORK, COUNTY OF _____

being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at _____

That on the _____ day of _____ 19 _____ at No. _____ deponent served the within _____

upon _____ personally. Deponent knows the person so served to be the person mentioned and described in said papers as the _____ Sworn to before me, this _____ day of _____ 19 _____

FINKELSTEIN & ROBINSON
COUNSELLORS AT LAW

10 EAST 40TH STREET
NEW YORK, N. Y. 10016
MURRAY HILL 5 5108

August 4, 1972

Clerk of Special Term, Part I
Supreme Court, Bronx County
Grand Concourse and 161st Street
Bronx, New York

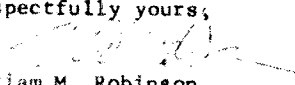
Dear Sir: RE: Matter of Laurence P. Mullan

Confirming my telephone conversation with you yesterday re the above, I am waiving any compensation in this matter.

My services were limited to an examination for the report and account of the retiring committee. This has been accomplished and my report filed. I seek no compensation therefor.

As an Officer of the Court and in the light of the limitations of this estate and the limitation of my own services in the matter, I shall make no further incursions.

Respectfully yours,


Miriam M. Robinson

MMR:ls

cc: Sidney Eisen, Esq.
401 Broadway
New York, N.Y. 10013

FILED

SUPREME COURT, PART I

AUG 4 1972

SUPREME COURT, PART I

2

FINKELSTEIN & ROBINSON,
10 EAST 40TH STREET
NEW YORK, N. Y. 10016



Clerk of Special Term, Part I
Supreme Court, Bronx County
Grand Concourse and 161st St.
Bronx, New York

ATTENTION: Ms. Pauline McDonough

Index No. 1627 Year 1971

SUPREME COURT, BRONX COUNTY
In the Matter of the Judicial Settlement of the Final Account of SIDNEY EISEN, Committee of the Person and Property of

LAURENCE P. MULLAN,
a Patient at Matteawan State Hospital

NOTICE OF MOTION, PETITION AND AFFIRMATION

SIDNEY EISEN
Committee pro se
Office and Post Office Address, Telephone
401 BROADWAY
BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013
WO 6-1696-7

To
Attorney(s) for

Service of a copy of this within
is hereby authorized.

Attorney(s) for

Notice of Entry
The Petitioner takes notice that the within is a (certified) true copy of a copy made in the office of the clerk of the within named court on 19

Date
Yours, etc.,
SIDNEY EISEN
Attorney for
Office and Post Office Address
401 BROADWAY
BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013

To
Attorney(s) for
Notice of Settlement

Sir—Please take notice that an order of which the within is a true copy will be presented to settlement to the Hon. one of the judges of the within named Court, at

at the of 19
at
Eased.
Yours, etc.,
SIDNEY EISEN
Attorney for
Office and Post Office Address
401 BROADWAY
BOROUGH OF MANHATTAN NEW YORK, N. Y. 10013

To
Attorney(s) for

FILED
APR 14 1971
CLERK OF SUPREME COURT
BRONX COUNTY

2
312

To: SIDNEY EISEN - Statutory commissions	\$456.87
To: SIDNEY EISEN, Esq., for legal services	\$600.00
By: MIRIAM R. ROBINSON, Guardian ad Litem for legal services <i>waves compensation</i>	\$ None

and it is further

5/10/50

ORDERED that the balance remaining shall be paid over to SELIG LENEFSKY, Esq. of 277 Broadway, New York City, New York, *in bond in the sum of \$25,000* Substitute Committee, upon his filing the designation of the Clerk of this Court, the issuance of the commission in due form of law, pursuant to Article 5A of the Mental Hygiene Law, and it is further

ORDERED, that upon making the payments hereinbefore directed to be made, and filing the receipts or cancelled checks for the same, that SIDNEY EISEN and FIDELITY & DEPOSIT CO. OF MARYLAND shall be discharged from any and all further liability as to all matters embraced in the final account filed herein, and an order to that effect may be entered without further notice.

ENTER,

J. S. C.