

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

Index No. _____
Date purchased: _____

-----X
CLAUDEL AIME,

Plaintiff

Kings County
as the place of trial.

-against-

The basis of the venue is
subject property
14 Balmoral Crescent,
White Plains, NY 10607

MAIAKLOVSKY PREVAL and WALKINS FERDINAND,

Defendants.
-----X

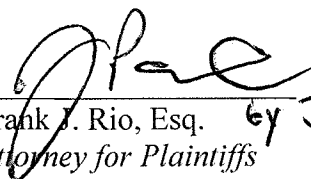
TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the attorneys for the Plaintiffs within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after service is complete if this summons is not personally delivered to you within the State of New York). In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

NOTICE OF NATURE OF ACTION AND RELIEF SOUGHT

THE NATURE AND RELIEF SOUGHT for the above captioned action is to request that the court grant partition by sale of certain real property, in accordance with RPAPL Article 9.

Dated: Brooklyn, New York
January 10, 2018.


Frank J. Rio, Esq. *by Joseph Paukman, Esq.*
Attorney for Plaintiffs
2011 Flatbush Avenue
Brooklyn, NY 11234
(718) 258-2255

To: WALKINS FERDINAND
172-12 133rd Avenue apt 4f
Jamaica, NY 11434

MAIAKLOVSKY PREVAL
14 Balmoral Crescent,
White Plains, NY 10607

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER-----X
CLAUDEL AIME,

Plaintiffs,

Index No. _____

-against-

VERIFIED COMPLAINT

MAIAKLOVSKY PREVAL and WALKINS FERDINAND,

Defendant.
-----X

The Plaintiff, MAIAKLOVSKY PREVAL and WALKINS FERDINAND, by and through their attorney JOSEPH PAUKMAN for the law office of FRANK J. RIO, Esq. complaining of the Defendants MAIAKLOVSKY PREVAL and WALKINS FERDINAND, alleges as follows:

1. Plaintiff, CLAUDEL AIME resides at 584 Rogers Ave., Brooklyn, NY 11225.
2. Defendant, MAIAKLOVSKY PREVAL resides at 14 Balmoral Crescent, White Plains, NY 10607.
3. Defendant, WALKINS FERDINAND resides at 172-12 133rd Avenue, Apt 4f, Jamaica, NY 11434.
4. Plaintiffs and Defendants are the legal owners, as tenants in common, of the property known as and by the street address of 14 Balmoral Crescent, White Plains, NY 10607, and as Block: 258, Lot 18 in Westchester, New York (hereinafter the "subject premises" or just "premises").
5. This action is being brought pursuant to Article 9 of the Real Property Actions and Proceedings Law of the State of New York, to request the court to grant partition by sale of the subject premises.
6. The subject premises are more specifically described as follows. See (Exhibit A).
7. Plaintiff CLAUDEL AIME owns in fee and possesses one undivided third of the subject premises.
8. Defendant WALKINS FERDINAND owns in fee and possesses one undivided third of the subject premises and Defendant MAIAKLOVSKY PREVAL owns in fee and possesses one undivided third of the subject premises.


9. The subject premises was acquired by virtue of a Bargain and Sale Deed by Ai Lan Zhu to CLAUDEL AIME, MAIAKLOVSKY PREVAL and WALKINS FERDINAND dated October 26, 2015, recorded in the New York State Register's Office, Westchester County. A copy of the Deed annexed hereto as **Exhibit "A"**.
10. On January 11, 2018, Defendant MAIAKLOVSKY PREVAL advised our office that Defendant is not willing to vacate or sell the subject premises.
11. The subject premises is so situate that a division or partition thereof among the parties entitled thereto according to their respective rights and interests cannot be had without prejudice to the owners thereof.
12. All parties to this action, upon information and belief, are of full age and sound mind.
13. Upon information and belief, no other properties than the aforesaid premises is owned by the parties hereto in common or jointly.

WHEREFORE Plaintiffs demand judgment as follows:

- i. That the Plaintiff CLAUDEL AIME is seized and possessed as tenant in common in fee of an undivided one-third part of the subject premises.
- ii. That the defendant, WALKINS FERDINAND, is seized and possessed as tenant in common in fee of an undivided one-third part of said premises.
- iii. That the defendant, MAIAKLOVSKY PREVAL, is seized and possessed as tenant in common in fee of an undivided one-third part of said premises.
- iv. That the said premises are so situate that a sale thereof is necessary, and that said premises be sold by and under the direction of the court and conveyance given to the purchaser.
- v. That out of the moneys arising from said sale the Plaintiff be paid his costs of this action and said sale.
- vi. That the residue of the money arising from said sale be divided and paid one third part thereof to Plaintiff, two third part thereof to the defendants.
- vii. That it be adjudged by said sale and conveyance pursuant thereto, that the Plaintiff and Defendants and all persons claiming through or under them subsequent to the filing of the notice of the pendency of this action, be barred of all right, title and interest in said premises in possession, reversion, remainder or otherwise..

Dated: Brooklyn, New York
January 11, 2018

Law Office of Frank J. Rio



By: Joseph Paukman
Attorneys for Plaintiff
2011 Flatbush Avenue
Brooklyn, NY 11234
Tel: (718) 258-2255
Fax: (718) 258-7058

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X

CLAUDEL AIME,

Plaintiffs,

Index No. _____

-against-

ATTORNEY VERIFICATION

MAIAKLOVSKY PREVAL and WALKINS FERDINAND,

Defendant.

-----X

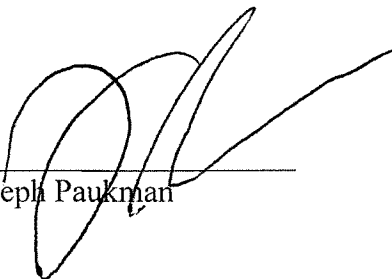
STATE OF NEW YORK)

)

COUNTY OF KINGS)

JOSEPH PAUKMAN, an attorney duly admitted to practice in the Courts of New York, hereby affirms under the penalties of perjury that I am the attorney for Plaintiffs; I have read the annexed Summons and Complaint, know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief and as to those matters I believe them to be true. My belief as to those matters therein not stated upon knowledge is based on my conversation I had with my clients, as well as upon documentation their possession, and in my file. The reason this Verification is made by counsel and not Plaintiffs, is that neither Plaintiff resides or has a place of business in Kings County, where my office is located.

Dated: Brooklyn, New York
January 11, 2018



Joseph Paukman

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