

**SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION - THIRD DEPARTMENT**

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Decided and Entered:

In the Matter of a Proceeding under Article 70 of the CPLR  
for a Writ of Habeas Corpus,

**Index No. 518336**

THE NONHUMAN RIGHTS PROJECT, INC., on  
behalf of TOMMY,

**ORDER ON MOTION FOR  
PRELIMINARY INJUNCTION**

Petitioners-Appellants,

v.

PATRICK C. LAVERY, individually and as an officer of  
Circle L Trailer Sales, Inc., DIANE LAVERY, and  
CIRCLE L TRAILER SALES, INC.,

Respondents-Respondents.

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Petitioners-Appellants having moved this Court for an order pursuant to CPLR 5518 and 6301 preliminarily enjoining Respondents, their agents, servants, employees, and all persons acting on their behalf, from removing Petitioner-Appellant Tommy from the State of New York pending completion of this appeal or further order of the Court and the motion having regularly come on to be heard,

Upon reading the motion, brief, and affidavits, together with the exhibits annexed thereto, with proof of due service thereof, all in support of the motion, and upon all prior papers and proceedings herein, and due deliberation having been had,

NOW, on motion of Elizabeth Stein, Esq. and Steven M. Wise, Esq., attorneys for  
Petitioners-Appellants,

ORDERED that the motion is granted and Respondents, their agents, servants, employees, and all persons acting on their behalf be and the same hereby are restrained, enjoined, and stayed from removing Petitioner-Appellant Tommy from the State of New York pending completion of the appeal or further order of the Court.

ENTER:

Robert D. Mayberger  
Clerk of the Court