COUNTY OF ERIE

MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

MARK C. POLONCARZ
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

August 14, 2013

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*York, Benjamin v. Central Police Services*
Document Received:	Notice of Claim
Name of Claimant:	Benjamin York 344 Linden Avenue Buffalo, New York 14216
Claimant's attorney:	Michael S. Deal, Esq. Lipsitz Green Scime Cambria LLP 42 Delaware Avenue, Suite 120 Buffalo, New York 14202-3924

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: Michelle Parker
Michelle M. Parker
First Assistant County Attorney

MMP:dld
Enc.

This paper received at the
Erie County Attorney's Office
from Gregory Allen on
the 13 day of August 2013
at 1:31 a.m./p.m.
Assistant County Attorney

NOTICE OF CLAIM

(PLEASE READ THE INSTRUCTION SHEET)

PLEASE PRINT:

NAME BENJAMIN YORK

SSN 088-70-6919
(FOR ACCOUNTING PURPOSES)

ADDRESS 344 LINDEN

CITY/STATE BUFFALO NY

ZIP CODE 14216 PHONE 843-4045

DATE OF BIRTH 06/07/1974

NAME OF ATTORNEY (IF ANY):
MICHAEL S. DEAL, ESQ.

ADDRESS 42 DELAWARE AVE, STE 100

CITY/STATE BUFFALO, NY

ZIP CODE 14202 PHONE 849-1333 X. 414

NATURE OF CLAIM:

DATE OF CLAIM MAY 16, 2013 TIME UNK

PLACE OF CLAIM (BE SPECIFIC) GIVE EXACT LOCATION WHERE DAMAGE OCCURRED
[redacted] CENTRAL POLICE SERVICES LAB

MANNER IN WHICH CLAIM AROSE CPS ~~BY~~ DESTROYED MR. YORK'S M-4 BUSHMASTER, .223 - 5.56, SERIAL # L475883, MODEL # XM15-525 RIFLE, WHICH HAD BEEN SEIZED BY BUFFALO POLICE ON SEPTEMBER 26, 2008. MR. YORK RECIEVED NO NOTICE OF SUCH DESTRUCTION AND HAS MOVED FOR ITS RETURN.

ITEMS DAMAGED (OR) PERSONAL INJURIES SUSTAINED M-4 BUSHMASTER RIFLE

Vehicle Identification (VIN) Number (If claim involves the Impound Garage) or if vehicle was towed by the City or its Agent

AMOUNT CLAIMED $ ~~[illegible]~~ 1,099.99

SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 12th DAY OF August 2013

MICHAEL S. DEAL
Notary Public, State of New York
Qualified in Erie County
My Commission Expires November 5, 2013

COMMISSIONER OF DEEDS OR NOTARY PUBLIC
MY COMMISSION EXPIRES: Nov. 5, 2013

N.B. IF CLAIM IS FOR PROPERTY DAMAGE AND OWNER IS DIFFERENT FROM DRIVER, PLEASE LIST BOTH.

MSD

Printed: 08/06/2013

INQUIRY DETAIL REPORT

GM#251 - Tonawanda FFL# 6-16-00800

Firearm Information

Serial Number:	L475883	**Manuf/Importer:**	Bushmaster
UPC:	604206068576	**Model:**	XM15-E2S
Description:	5.56 MM	**Caliber/Gauge:**	223 Rem.
New/Used?:	New	**Type:**	Rifle

Acquisition Information

Date: 05/15/2008

Assoc.: 521255, Joseph Dunn

Acq From:

GM#1 - CRW Lebanon FFL# 4-35-01430
700 South Council Drive

Lebanon, IN 46052

Disposition Information

Date: 07/25/2008

Assoc.: 521274, Curtus Foote

4473#: 14589

Cost:

Retail: $1,099.99

Sold To:

BENJAMIN,WAYNE YORK
344 LINDEN AVE.
ERIE
BUFFALO, NY 14216
(716) 880-9064