



# NEWFIELD TOWN COURT

166 Main Street, Newfield, N.Y. 14867  
Phone: 607-564-9982 Fax: 607-240-5357

Hon. William Greener  
Town Justice

Court Clerk John A. Petito

Bonze Blayk, Plaintiff

Case Number: 21060001

vs.

SMALL CLAIMS

Francisco Berry, P.C., Defendant

Uniform Justice Court Act §1804 sets forth the procedure to be followed when conducting a Small Claims Trial. The Court is required “to do substantial justice between the parties according to the rules of substantive law...” After hearing all the testimony and evidence presented herein, the Court makes the following findings of fact and determinations of law:

Plaintiff Bonze Blayk seeks reimbursement from defendant Francisco Berry, P.C. in the amount of \$2,000.00. Plaintiff and defendant were sworn in and both parties testified under oath.

Plaintiff hired attorney Berry to represent her in a criminal legal matter. According to an invoice submitted into evidence by defendant, legal representation began on or about February 6, 2019. Plaintiff paid defendant a retainer of \$2000.00. The invoice shows dates, brief descriptions of services rendered, and time spent, respectively. The final invoice service date is May 22, 2019. Total billed hours were 19.2 @ \$150/hr = \$2,880.00. On or about May 22<sup>nd</sup> defendant testified that he requested recusal due to a breakdown in communication between him and his client, which was granted. Plaintiff testified that she fired Mr. Berry. The dates are not in dispute.

During the trial the Court asked Ms. Blayk whether she had any issues with any of the listed services on the invoice? She indicated that she lost confidence in Mr. Berry’s representation associated with the final three billing entries on 4/19/19, 5/3/19, and 5/22/19 totaling 2.4 billable hours @ \$150/hr.

Based upon the testimonies given by the parties and the evidence put into the record, the Court believes that a fair transaction transpired between the parties.

In view of the foregoing, plaintiff’s claim against defendant is **DISMISSED.**

Signed this 19<sup>th</sup> day of July 2021 at Newfield Town Court, Newfield, New York.

ORDERED, ENTERED

  
Hon. William Greener  
Newfield Town Justice