

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

SMS FINANCIAL XXXI, LLC,

Plaintiff,

- v -

DARA ALINA GADSDEN, AS PERSONAL
REPRESENTATIVE TO THE ESTATE OF CARRIE
GADSDEN, SUCCESSOR TRUSTEE OF THE EFFIE
GADSDEN LIVING TRUST, TRUSTEE OF THE EFFIE
GADSDEN LIVING TRUST, DARA ALINA GADSDEN,
AS EXECUTOR AND/OR TRUSTEE OF THE CARRIE
GADSDEN TESTAMENTARY TRUST, DARA ALINA
GADSDEN, DAVID SEAN GADSDEN, DAVID
GADSDEN, WILLIE RIVERS, RUSSELL GADSDEN,
ROBERT GADSDEN, ALEXANDER SAMUEL
GADSDEN-BERQUIN, UNITED STATES INTERNAL
REVENUE SERVICE, NEW YORK STATE
DEPARTMENT OF TAXATION AND FINANCE, NEW
YORK CITY ENVIRONMENTAL CONTROL BOARD,
NEW YORK CITY PARKING VIOLATIONS BUREAU,
CRIMINAL COURT OF THE CITY OF NEW YORK,
HOME HEATING OIL CORP.,

Defendants.

Index No.: 531451/2024

**NOTICE OF SALE
(AND PUBLICATION OF
SALE)****Premises:**

**684 St. Marks Avenue
Brooklyn, NY 11216
(Block: 1226, Lot: 31)**

PLEASE TAKE NOTICE that, pursuant to an Order and Judgment of Foreclosure and Sale (the “Judgment”) entered on July 14, 2025, Helmut Borchert, Esq., the court appointed Referee, will sell at public auction to the highest bidder in Room 224 of the Kings County Supreme Court at 360 Adams Street, Brooklyn, New York on October 9, 2025, at 2:30 p.m., the premises known as 684 St. Marks Avenue, Brooklyn, New York. All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Kings and State of New York: Block 1226, Lot 31. Approximate amount of Judgment is \$558,547.22, plus interest and costs. Premises will be sold subject to provisions of Judgment and Terms of Sale. COVID-19 safety protocols will be followed at the foreclosure sale.

PLEASE TAKE FURTHER NOTICE that the within is a true and correct copy of the Notice of Sale that has been/will be published in the Brooklyn Eagle pursuant to RPAPL § 231 and the Judgment.

The foreclosure sale is scheduled for October 9, 2025, at 2:30 p.m.

Dated: New York, New York
August 26, 2025

ANDRIOLA LAW, PLLC

/s/ James M. Andriola, Esq.

James M. Andriola, Esq.
1385 Broadway, 22nd Floor
New York, New York 10018
(646) 209-9863
Attorneys for Plaintiff

TO: Dara Alina Gadsden, individually,
and in her capacity and as personal representative
to the Estate of Carrie Gadsden, Successor Trustee
of the Effie Gadsden Living Trust, Trustee of the
Effie Gadsden Living Trust and Executor and/or
Trustee of the Carrie Gadsden Testamentary Trust
684 St. Marks Avenue
Brooklyn, New York 11216
*Appearing Pro Se Defendant, Borrower and Owner of Equity of Redemption
being served at her last known address and at the subject mortgaged premises*
Via First Class Mail

David Sean Gadsden
152 N. Elliott Walk, Apt. 1B
Brooklyn, New York 11205
Non-appearing Defendant
Via First Class Mail

David Gadsden
152 N. Elliott Walk, Apt. 1B
Brooklyn, New York 11205
Non-appearing Defendant
Via First Class Mail

Willie Rivers
152 N. Elliott Walk, Apt. 1B
Brooklyn, New York 11205
Non-appearing Defendant
Via First Class Mail

Robert Gadsden
650 Montgomery Street, #303
Jersey City, New Jersey 07306
Non-appearing Defendant
Via First Class Mail

Alexander Samuel Gadsden-Berquin
684 St. Marks Avenue
Brooklyn, New York 11216
Non-appearing Defendant
Via First Class Mail

United States Internal Revenue Service
271 Cadman Plaza East
Brooklyn, New York 11201
Non-appearing Defendant
Via First Class Mail

New York State Department of Taxation and Finance
Attention: Office of Counsel
Building 9, W.A. Harriman Campus
Albany, New York 12227
Non-appearing Defendant
Via First Class Mail

New York City Environmental Control Board
100 Church Street
New York, New York 10007
Non-appearing Defendant
Via First Class Mail

New York City Parking Violations Bureau
100 Church Street
New York, NY 10007
Non-appearing Defendant
Via First Class Mail

Criminal Court of the City of New York
120 Schermerhorn Street
Brooklyn, New York 11201
Non-appearing Defendant
Via First Class Mail

Daniel E. Sully, Esq.
Law Office of Daniel E. Sully
44 Court Street, Ste 1217
Brooklyn, New York 11201
Attorneys for Defendant
Home Heating Oil Corp.
Via NYSCEF

Helmut Borchert, Esq.
17 Washington Ave
Glen Head, New York 11545-1540
Referee
Via First Class Mail

Kings County Foreclosure Department
360 Adams Street
Brooklyn, New York 11201
Via NYSCEF and Email

NOTICE OF SALE

SUPREME COURT – KINGS COUNTY – SMS FINANCIAL XXXI, LLC, Plaintiff v. DARA ALINA GADSDEN, AS PERSONAL REPRESENTATIVE TO THE ESTATE OF CARRIE GADSDEN, SUCCESSOR TRUSTEE OF THE EFFIE GADSDEN LIVING TRUST, et al., Defendants. Pursuant to an Order and Judgment of Foreclosure and Sale entered on July 14, 2025 (the “Judgment”), I will sell at public auction to the highest bidder in Room 224 of the Kings County Supreme Court, 360 Adams Street, Brooklyn, New York, on October 9, 2025 at 2:30 p.m., the premises known as 684 St. Marks Avenue, Brooklyn, New York 11216. All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in Kings County and State of New York: Block 1226, Lot: 31, as more particularly described in the Judgment. Approximate amount of Judgment is \$558,547.22, plus additional interest and fees. Premises will be sold subject to provisions of Judgment and Terms of Sale. Index #531451/2024. COVID-19 safety protocols will be followed at the foreclosure sale.

Helmut Borchert, Esq., Referee.

Andriola Law, PLLC, 1385 Broadway, 22nd Floor, New York, NY 10018, Attorneys for Plaintiff

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COUNTY OF KINGS**

SMS FINANCIAL XXXI, LLC,

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AFFIRMATION OF SERVICE

James M. Andriola, Esq., an attorney duly admitted to practice in the Courts of the State of New York, affirms as follows under penalty of perjury:

I am a member of Andriola Law, PLLC. I am not a party to the action, am over 18 years of age and reside in the State of New York, New York. On August 26, 2025, I served the foregoing **Notice of Sale (and Publication of Sale)**, by causing true and correct copies of the aforesaid documents to be filed and served as follows:

Dara Alina Gadsden, individually,
and in her capacity and as personal representative
to the Estate of Carrie Gadsden, Successor Trustee
of the Effie Gadsden Living Trust, Trustee of the
Effie Gadsden Living Trust and Executor and/or
Trustee of the Carrie Gadsden Testamentary Trust
684 St. Marks Avenue
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*Appearing Pro Se Defendant, Borrower and Owner of Equity of Redemption
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684 St. Marks Avenue
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Attention: Office of Counsel
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Daniel E. Sully, Esq.
Law Office of Daniel E. Sully
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Attorneys for Defendant
Home Heating Oil Corp.
Via NYSCEF

Helmut Borchert, Esq.
17 Washington Ave
Glen Head, New York 11545-1540
Referee
Via First Class Mail

Kings County Foreclosure Department
360 Adams Street
Brooklyn, New York 11201
Via NYSCEF and Email

Dated: New York, New York
August 26, 2025

/s/ James M. Andriola