

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

1051

KAH 09-00172

PRESENT: SMITH, J.P., CENTRA, FAHEY, CARNI, AND PINE, JJ.

THE PEOPLE OF THE STATE OF NEW YORK EX REL.
CARTY SPENCER, PETITIONER-RESPONDENT,

V

ORDER

MELVIN WILLIAMS, SUPERINTENDENT, WILLARD DRUG
TREATMENT CAMPUS, RESPONDENT-APPELLANT.

ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (RAJIT S. DOSANJH OF
COUNSEL), FOR RESPONDENT-APPELLANT.

Appeal from a judgment of the Supreme Court, Seneca County
(Dennis F. Bender, A.J.), dated April 2, 2008. The judgment directed
release of petitioner to parole supervision.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs as moot (see *People ex rel. Allen v Dalsheim*, 48 NY2d
971, 972; *Matter of Miller v Glasheen*, 193 AD2d 747, 748).

Entered: October 2, 2009

Patricia L. Morgan
Clerk of the Court