

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

1074

KAH 07-01800

PRESENT: SCUDDER, P.J., MARTOCHE, PERADOTTO, CARNI, AND GORSKI, JJ.

THE PEOPLE OF THE STATE OF NEW YORK EX REL.
ROBERT C. HINTON, JR., PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

HAROLD GRAHAM, SUPERINTENDENT, AUBURN
CORRECTIONAL FACILITY, RESPONDENT-RESPONDENT.
(APPEAL NO. 2.)

D.J. & J.A. CIRANDO, ESQS., SYRACUSE (JOHN A. CIRANDO OF COUNSEL), FOR
PETITIONER-APPELLANT.

ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (FRANK BRADY OF COUNSEL),
FOR RESPONDENT-RESPONDENT.

Appeal from an order of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered June 15, 2007. The order denied the motion of petitioner for leave to reargue.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same Memorandum as in *People ex rel. Hinton v Graham* ([appeal No. 1] ____ AD3d ____ [Oct. 2, 2009]).

Entered: October 2, 2009

Patricia L. Morgan
Clerk of the Court