

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

1689

KAH 09-00695

PRESENT: SMITH, J.P., FAHEY, CARNI, AND GREEN, JJ.

THE PEOPLE OF THE STATE OF NEW YORK EX REL.
SAMUEL RICCARDO, 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 (W. Patrick Falvey, A.J.), entered July 3, 2008 in a habeas corpus proceeding. The judgment granted the petition and directed release of petitioner to parole supervision.

It is hereby ORDERED that the judgment so appealed from is unanimously reversed on the law without costs and the petition is dismissed (*see People ex rel. VanSteenburg v Wasser*, 69 AD3d 1135; *People ex rel. Muhammad v Bradt*, 68 AD3d 1391; *People ex rel. Almodovar v Berbary*, 67 AD3d 1419, *lv denied* ___ NY3d ___ [Feb. 18, 2010]).

Entered: March 19, 2010

Patricia L. Morgan
Clerk of the Court