

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

1143

CA 09-01474

PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, SCONIERS, AND PINE, JJ.

IN THE MATTER OF THE STATE OF NEW YORK,
PETITIONER-RESPONDENT,

V

ORDER

HAROLD WILKES, RESPONDENT-APPELLANT.
(APPEAL NO. 3.)

EMMETT J. CREAHAN, DIRECTOR, MENTAL HYGIENE LEGAL SERVICE, BUFFALO
(KEVIN S. DOYLE OF COUNSEL), FOR RESPONDENT-APPELLANT.

ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (KATHLEEN M. ARNOLD OF
COUNSEL), FOR PETITIONER-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered June 11, 2009 in a proceeding pursuant to Mental Hygiene Law article 10. The order, upon a jury verdict, determined that respondent suffers from a mental abnormality that predisposes him to commit sex offenses and makes it unlikely that he will be able to control his behavior.

It is hereby ORDERED that said appeal is unanimously dismissed without costs (see CPLR 5501 [a] [1]).

Entered: October 1, 2010

Patricia L. Morgan
Clerk of the Court