

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

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CA 10-00854

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

IN THE MATTER OF HUSSAYN MCCLAIN,
PETITIONER-APPELLANT,

V

ORDER

NEW YORK STATE DEPARTMENT OF CORRECTIONAL
SERVICES AND NEW YORK STATE EXECUTIVE BOARD
OF PAROLE, RESPONDENTS-RESPONDENTS.

HUSSAYN MCCLAIN, PETITIONER-APPELLANT PRO SE.

ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (MARCUS J. MASTRACCO OF
COUNSEL), FOR RESPONDENTS-RESPONDENTS.

Appeal from a judgment (denominated order) of the Supreme Court,
Orleans County (James P. Punch, A.J.), entered February 2, 2010 in a
proceeding pursuant to CPLR article 78. The judgment denied the
petition.

It is hereby ORDERED that the judgment so appealed from is
unanimously affirmed without costs.

Entered: February 10, 2011

Patricia L. Morgan
Clerk of the Court