

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

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KAH 09-02258

PRESENT: CENTRA, J.P., CARNI, LINDLEY, SCONIERS, AND MARTOCHE, JJ.

THE PEOPLE OF THE STATE OF NEW YORK EX REL.
BERNARD PITTS, PETITIONER-APPELLANT,

V

ORDER

ROBERT A. KIRKPATRICK, SUPERINTENDENT, WENDE
CORRECTIONAL FACILITY, AND ATTORNEY GENERAL OF
NEW YORK STATE, RESPONDENTS-RESPONDENTS.

THOMAS E. ANDRUSCHAT, EAST AURORA, FOR PETITIONER-APPELLANT.

Appeal from a judgment (denominated order) of the Supreme Court,
Erie County (M. William Boller, A.J.), entered July 8, 2009 in a
habeas corpus proceeding. The judgment denied the petition.

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

Entered: March 16, 2012

Frances E. Cafarell
Clerk of the Court