

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

1023

**KAH 17-01859**

PRESENT: PERADOTTO, J.P., CARNI, LINDLEY, NEMOYER, AND TROUTMAN, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK EX REL.  
JAMES PEARCE, PETITIONER-APPELLANT,

V

ORDER

STEWART T. ECKERT, SUPERINTENDENT, WENDE  
CORRECTIONAL FACILITY, RESPONDENT-RESPONDENT.

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THE LEGAL AID BUREAU OF BUFFALO, INC., BUFFALO (SHERRY A. CHASE OF  
COUNSEL), FOR PETITIONER-APPELLANT.

JAMES PEARCE, PETITIONER-APPELLANT PRO SE.

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Appeal from a judgment (denominated order) of the Supreme Court,  
Erie County (Russell P. Buscaglia, A.J.), entered July 19, 2017 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 (*see People ex rel. Williams v*  
*Sheahan*, 145 AD3d 1517, 1517-1518 [4th Dept 2016], *lv denied* 29 NY3d  
908 [2017]).

Entered: November 8, 2019

Mark W. Bennett  
Clerk of the Court