

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

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DAVID S. RITTER, J.P.
PETER B. SKELOS
STEVEN W. FISHER
ROBERT A. LIFSON, JJ.

2006-04466

DECISION, ORDER & JUDGMENT

In the Matter of Ronald M. Ackridge, petitioner,
v Samuel D. Walker, etc., respondent.

Ronald M. Ackridge, Cape Vincent, N.Y., petitioner pro se.

Eliot Spitzer, Attorney-General, New York, N.Y. (Lisa Ghartey of counsel), for
respondent.

Proceeding pursuant to CPLR article 78 in the nature of mandamus, inter alia, to compel Samuel D. Walker, a Justice of the Supreme Court, Westchester County, to determine two motions pursuant to CPL article 440 filed by the appellant in April 2006, and application by the petitioner for poor person relief.

ORDERED that the application for poor person relief is granted to the extent that the filing fee imposed by CPLR 8022(b) is waived, and the application is otherwise denied; and it is further,

ADJUDGED that the petition is denied and the proceeding is dismissed, without costs or disbursements.

December 5, 2006

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The proceeding has been rendered academic, as the motions pursuant to CPL article 440 were decided by order of the Supreme Court, Westchester County, entered July 24, 2006.

RITTER, J.P., SKELOS, FISHER and LIFSON, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer
Clerk of the Court