

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

D16285
Y/kmg

_____AD3d_____

Argued - September 4, 2007

STEPHEN G. CRANE, J.P.
GLORIA GOLDSTEIN
PETER B. SKELOS
EDWARD D. CARNI, JJ.

2007-06309

DECISION & ORDER

The People, etc., ex rel. Kenneth J. Schreiber, o/b/o James Giordano, petitioner-respondent, v Warden of Vernon C. Bain Center, respondent; District Attorney, Queens County, nonparty-appellant.

(Ind. No. 2699/06)

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (Kristina Sapaskis and Gerard Brave of counsel), nonparty-appellant pro se.

Mischel & Horn, P.C., New York, N.Y. (Richard E. Mischel of counsel), for petitioner-respondent.

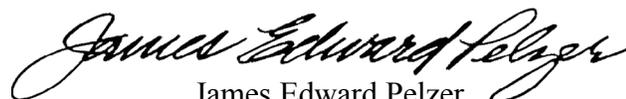
In a habeas corpus proceeding, the appeal is from a judgment of the Supreme Court, Queens County (Schulman, J.), dated July 6, 2007, which, after a hearing, sustained the writ to the extent of reducing bail in a criminal action entitled *People v Giordano*, pending under Queens County Indictment No. 2699/06, from the sum of \$5,000,000 cash or insurance company bail bond to the sum of \$750,000 cash or insurance company bail bond.

ORDERED that the judgment is affirmed, without costs or disbursements.

Under the circumstance of this case, the Supreme Court properly reduced bail from the sum of \$5,000,000 cash or insurance company bail bond to the sum of \$750,000 cash or insurance company bail bond.

CRANE, J.P., GOLDSTEIN, SKELOS and CARNI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 18, 2007

PEOPLE EX REL. SCHREIBER, o/b/o GIORDANO
v WARDEN OF VERNON C. BAIN CENTER