

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

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PETER B. SKELOS, J.P.,
DAVID S. RITTER
ANITA FLORIO
THOMAS A. DICKERSON, JJ.

2008-02413

DECISION, ORDER, & JUDGMENT

In the Matter of Diane Word, petitioner,
v Barbara G. Zambelli, etc., respondent.

Diane Word, Bedford Hills, N.Y., petitioner pro se.

Andrew M. Cuomo, Attorney General, New York, N.Y. (Charles F. Sanders of counsel), for respondent.

Proceeding pursuant to CPLR article 78 in the nature of mandamus to compel the respondent to render a decision on the petitioner's motion for leave to renew her petition in a proceeding entitled *Matter of Word v New York State Commn. of Correction*, commenced in the Supreme Court, Westchester County, under Index No. 07-225. Application by the petitioner for leave to prosecute this proceeding as a poor person.

ORDERED that the application is granted to the extent of waiving the filing fee and the application is otherwise denied; and it is further,

ADJUDGED that the proceeding is dismissed as academic, without costs or disbursements.

On March 11, 2008, the respondent rendered a decision on the petitioner's motion for leave to renew. Accordingly, this proceeding has been rendered academic.

SKELOS, J.P., RITTER, FLORIO and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 17, 2008

MATTER OF WORD v ZAMBELLI