

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

D21257  
K/hu

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - November 13, 2008

REINALDO E. RIVERA, J.P.  
MARK C. DILLON  
JOSEPH COVELLO  
WILLIAM E. McCARTHY, JJ.

---

2008-10188

DECISION & JUDGMENT

The People, etc., ex rel. William D. Shanahan,  
on behalf of Roy Christmas, petitioner, v  
Nassau County Sheriff, et al., respondents.

---

William D. Shanahan, Garden City, N.Y., petitioner pro se.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Theresa Corrigan of counsel),  
respondent pro se.

Writ of habeas corpus in the nature of an application to release the defendant  
on his own recognizance, or alternatively, for bail reduction upon Nassau County Docket No. 2008  
NA 028506.

ADJUDGED that the writ is dismissed, without costs or disbursements.

The determination of the Supreme Court, Nassau County, was not an  
improvident exercise of discretion, and did not violate “constitutional or statutory standards” (*People  
ex rel. Klein v Kruger*, 25 NY2d 497, 499; see *People ex rel. Rosenthal v Wolfson*, 48 NY2d 230).

RIVERA, J.P., DILLON, COVELLO and McCARTHY, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

November 18, 2008

PEOPLE EX REL. SHANAHAN, on behalf of CHRISTMAS v NASSAU COUNTY SHERIFF