

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

D23734  
Y/hu

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REINALDO E. RIVERA, J.P.  
ROBERT A. SPOLZINO  
DANIEL D. ANGIOLILLO  
RUTH C. BALKIN, JJ.

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2008-10245

DECISION, ORDER & JUDGMENT

In the Matter of Keith Gadson, petitioner,  
v New York State Department of Parole, et al.,  
respondents.

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Keith Gadson, Staten Island, N.Y., petitioner pro se.

Andrew M. Cuomo, Attorney General, New York, N.Y. (David Lawrence III of  
counsel), for respondents.

Proceeding pursuant to CPLR article 78 in the nature of mandamus, inter alia, to  
compel the respondents to disclose certain investigation reports. Motion by the respondents to  
dismiss the proceeding. Application by the petitioner to prosecute this proceeding as a poor person.

ORDERED that the application to prosecute this proceeding as a poor person is  
granted to the extent that the filing fee imposed by CPLR 8022(b) is waived, and the application is  
otherwise denied as academic; and it is further,

ORDERED that the motion is granted; and it is further,

ADJUDGED that the proceeding is dismissed, without costs or disbursements (*see*  
CPLR 506).

June 30, 2009

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MATTER OF GADSON v NEW YORK STATE DEPARTMENT OF PAROLE

To the extent that the petitioner raises contentions regarding an order of the Supreme Court, Kings County, dated August 26, 2008, we note that no notice of appeal has been filed with the Clerk of the Supreme Court, Kings County, and therefore no appeal is pending before this Court.

RIVERA, J.P., SPOLZINO, ANGIOLILLO and BALKIN, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court