

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

D24589  
K/nl

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

Argued - September 24, 2009

A. GAIL PRUDENTI, P.J.  
HOWARD MILLER  
CHERYL E. CHAMBERS  
SHERI S. ROMAN, JJ.

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2009-08924

DECISION & JUDGMENT

The People etc., ex rel. Stephen P. Scaring, on behalf  
of Anthony Battisti, petitioner, v Warden Nassau County  
Correctional Center, respondent.

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Scaring & Brissenden PLLC, Garden City, N.Y. (Stephen P. Scaring pro se of  
counsel), for petitioner.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Michael Canty of counsel), for  
respondent.

Writ of habeas corpus in the nature of an application for bail reduction upon Nassau  
County Indictment No. 1865N/09.

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).

PRUDENTI, P.J., MILLER, CHAMBERS and ROMAN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

September 29, 2009

PEOPLE EX REL. SCARING, on behalf of BATTISTI v WARDEN  
NASSAU COUNTY CORRECTIONAL CENTER