

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

D25688
K/nl

_____AD3d_____

Argued - December 21, 2009

PETER B. SKELOS, J.P.
RUTH C. BALKIN
JOHN M. LEVENTHAL
PLUMMER E. LOTT, JJ.

2009-11377

DECISION & JUDGMENT

The People, etc., ex rel. Howard Greenberg, on behalf of Japheth Clarke, petitioner, v Warden, Rikers Island, et al., respondents.

(Ind. No. 246/04)

Howard Greenberg, Brooklyn, N.Y., petitioner pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (Rebecca Kramer of counsel), respondent pro se.

Writ of habeas corpus in the nature of an application to be admitted to bail upon Queens County Indictment No. 246/04.

ADJUDGED that the writ is sustained, without costs or disbursements, to the extent of setting bail on Queens County Indictment No. 246/04 in the sum of \$100,000, which may be posted in the form of an insurance company bail bond in that sum or by depositing the same sum as a cash bail alternative.

SKELOS, J.P., BALKIN, LEVENTHAL and LOTT, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

December 23, 2009

PEOPLE EX REL. GREENBERG, on behalf of CLARKE v WARDEN