

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

D27038  
O/hu

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

Submitted - March 25, 2010

A. GAIL PRUDENTI, P.J.  
STEVEN W. FISHER  
SHERI S. ROMAN  
SANDRA L. SGROI, JJ.

---

2008-09712

DECISION & ORDER

The People, etc., respondent,  
v Clyde Perry, appellant.

(Ind. No. 7692/99)

---

Steven Banks, New York, N.Y. (Elon Harpaz of counsel), for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Solomon Neubort, and Marie-Claude P. Wrenn-Myers of counsel), for respondent.

Appeal by the defendant from a resentencing of the Supreme Court, Kings County (Dowling, J.), imposed September 23, 2008, which, upon his conviction of rape in the first degree (two counts), upon his plea of guilty, imposed periods of postrelease supervision of five years.

ORDERED that the appeal is dismissed.

In an order dated March 24, 2010, the Supreme Court, in accordance with the Court of Appeals' recent decision in *People v Williams* (\_\_\_\_\_NY3d\_\_\_\_\_, 2010 NY Slip Op 01527 [2010]), vacated the periods of postrelease supervision challenged on this appeal. Accordingly, this appeal has been rendered academic, and must be dismissed.

PRUDENTI, P.J., FISHER, ROMAN and SGROI, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

April 20, 2010

PEOPLE v PERRY, CLYDE