

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

D28329  
K/nl

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

Argued - August 17, 2010

MARK C. DILLON, J.P.  
HOWARD MILLER  
JOHN M. LEVENTHAL  
CHERYL E. CHAMBERS  
PLUMMER E. LOTT, JJ.

2010-07739

DECISION & JUDGMENT

The People etc., ex rel. Amy Marion, on behalf of  
David Kappen, petitioner, v Michael Sposato, Sheriff  
Nassau County Correctional Center, respondent.

Quadrino & Schwartz, Garden City, N.Y. (Amy Marion, pro se, of counsel), for  
petitioner.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Teresa Kaczmarek Corrigan  
of counsel), for respondent.

Writ of habeas corpus in the nature of an application, inter alia, for bail reduction upon  
Nassau County Indictment 20380N/10.

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).

DILLON, J.P., MILLER, LEVENTHAL, CHAMBERS and LOTT, JJ., concur.

ENTER:

  
James Edward Pelzer

August 17, 2010

PEOPLE EX REL. MARION, on behalf of KAPPEN v SPOSATO, SHERIFF NASSAU  
COUNTY CORRECTIONAL CENTER

Clerk of the Court

August 17, 2010

PEOPLE EX REL. MARION, on behalf of KAPPEN v SPOSATO, SHERIFF NASSAU  
COUNTY CORRECTIONAL CENTER