

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

D32642
S/nl

_____AD3d_____

Argued - October 7, 2011

REINALDO E. RIVERA, J.P.
ANITA R. FLORIO
THOMAS A. DICKERSON
PLUMMER E. LOTT, JJ.

2011-08667

DECISION & JUDGMENT

The People, etc., ex rel. Robert DiDio, on behalf of
Elijah Foster-Bey, petitioner, v Dora B. Schriro, etc.,
respondent.

Robert DiDio, Kew Gardens, New York, petitioner pro se.

Charles J. Hynes, District Attorney, Brooklyn, New York (Lewis E. Lieberman of
counsel), for respondent.

Writ of habeas corpus in the nature of an application for bail upon Kings County
Indictment No. 9239/10.

ADJUDGED that the writ is dismissed, without costs or disbursements.

The determination of the Supreme Court, Kings 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).

RIVERA, J.P., FLORIO, DICKERSON and LOTT, JJ., concur.

ENTER:



Matthew G. Kiernan
Clerk of the Court

October 11, 2011

PEOPLE EX REL. DiDIO, on behalf of FOSTER-BEY v SCHRIRO