

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

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RANDALL T. ENG, P.J.
REINALDO E. RIVERA
L. PRISCILLA HALL
SANDRA L. SGROI, JJ.

2012-06701

DECISION, ORDER & JUDGMENT

In the Matter of DeAndre Williams, petitioner, v
Janet DiFiore, etc., et al., respondents.

DeAndre Williams, Malone, N.Y., appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Adrienne M. Chapoulie
respondent pro se and Robert K. Saver of counsel), respondent pro se.

Proceeding pursuant to CPLR article 78 in the nature of mandamus to compel the respondents, Janet DiFiore, District Attorney of Westchester County, and Adrienne Chapoulie, an Assistant District Attorney, to provide an "offer of proof" pursuant to CPL 70.20 in connection with an underlying criminal action entitled *People v Williams*, commenced in the County Court, Westchester County, under Indictment No. 97-1571, and application by the petitioner to prosecute the proceeding as a poor person.

ORDERED that the application for leave to prosecute the proceeding as a poor person is granted to the extent that the filing fee imposed by CPLR 8022(b) is waived, and the application is otherwise denied as academic; and it is further,

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

This Court does not have subject matter to jurisdiction to entertain this proceeding (*see* CPLR 7804[b]; 506[b]).

ENG, P.J., RIVERA, HALL and SGROI, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

October 10, 2012

MATTER OF WILLIAMS v DiFIORE