

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

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MARK C. DILLON, J.P.
RUTH C. BALKIN
CHERYL E. CHAMBERS
ROBERT J. MILLER, JJ.

2012-09093

DECISION, ORDER & JUDGMENT

In the Matter of Denise Greene, petitioner, v Bayview
Correctional Facility, et al., respondents.

Denise Greene, Albion, N.Y., petitioner pro se.

Proceeding pursuant to CPLR article 78 in the nature of mandamus, inter alia, to compel the respondents to approve the petitioner's participation in the "temporary release program," and application by the petitioner to prosecute the proceeding as a poor person.

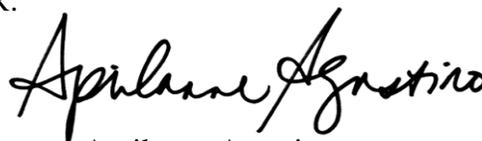
ORDERED that the application for poor person relief is granted to the extent that the filing fee imposed by CPLR 8022(b) is waived, and the application is otherwise denied; and it is further,

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

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

DILLON, J.P., BALKIN, CHAMBERS and MILLER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

December 26, 2012

MATTER OF GREENE v BAYVIEW CORRECTIONAL FACILITY