

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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CA 15-00235

PRESENT: CARNI, J.P., LINDLEY, DEJOSEPH, NEMOYER, AND TROUTMAN, JJ.

IN THE MATTER OF STATE OF NEW YORK,
PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

PAUL VANDERPOOL, RESPONDENT-RESPONDENT.
(APPEAL NO. 2.)

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (KATHLEEN M. TREASURE
OF COUNSEL), FOR PETITIONER-APPELLANT.

EMMETT J. CREAHAN, DIRECTOR, MENTAL HYGIENE LEGAL SERVICE, BUFFALO
(DIANE S. GASTLE OF COUNSEL), FOR RESPONDENT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered January 13, 2015 in a proceeding pursuant to Mental Hygiene Law article 10. The order, insofar as appealed from, denied the motion of petitioner seeking leave to renew and reargue.

It is hereby ORDERED that said appeal is unanimously dismissed without costs.

Same memorandum as in *State of New York v Vanderpool* ([appeal No. 1] ___ AD3d ___ [Mar. 25, 2016]).

Entered: March 25, 2016

Frances E. Cafarell
Clerk of the Court