

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

**1689**

**KAH 09-00695**

PRESENT: SMITH, J.P., FAHEY, CARNI, AND GREEN, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK EX REL.  
SAMUEL RICCARDO, PETITIONER-RESPONDENT,

V

ORDER

MELVIN WILLIAMS, SUPERINTENDENT, WILLARD  
DRUG TREATMENT CAMPUS, RESPONDENT-APPELLANT.

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ANDREW M. CUOMO, ATTORNEY GENERAL, ALBANY (RAJIT S. DOSANJH OF  
COUNSEL), FOR RESPONDENT-APPELLANT.

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Appeal from a judgment of the Supreme Court, Seneca County (W. Patrick Falvey, A.J.), entered July 3, 2008 in a habeas corpus proceeding. The judgment granted the petition and directed release of petitioner to parole supervision.

It is hereby ORDERED that the judgment so appealed from is unanimously reversed on the law without costs and the petition is dismissed (*see People ex rel. VanSteenburg v Wasser*, 69 AD3d 1135; *People ex rel. Muhammad v Bradt*, 68 AD3d 1391; *People ex rel. Almodovar v Berbary*, 67 AD3d 1419, *lv denied* \_\_\_ NY3d \_\_\_ [Feb. 18, 2010]).

Entered: March 19, 2010

Patricia L. Morgan  
Clerk of the Court