

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

1200

**KAH 10-00609**

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, GREEN, AND GORSKI, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK EX REL.  
BRIAN SNELL, PETITIONER-APPELLANT,

V

ORDER

ANDREA EVANS, CEO, NEW YORK STATE DIVISION OF  
PAROLE, RESPONDENT-RESPONDENT.

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DEL ATWELL, EAST HAMPTON, FOR PETITIONER-APPELLANT.

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (MARLENE O. TUCZINSKI  
OF COUNSEL), FOR RESPONDENT-RESPONDENT.

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Appeal from a judgment (denominated decision and order) of the Supreme Court, Orleans County (James P. Punch, A.J.), entered February 19, 2010 in a proceeding pursuant to CPLR article 78. The judgment denied the petition.

It is hereby ORDERED that the judgment so appealed from is unanimously affirmed without costs.

Entered: November 10, 2011

Patricia L. Morgan  
Clerk of the Court