

State of New York Court of Appeals

This memorandum is uncorrected and subject to revision before publication in the New York Reports.

No. 94 SSM 23
In the Matter of Roland Green,
Respondent,
v.
Darwin LaClair, &c.,
Appellant.

Submitted by Brian D. Ginsberg, for appellant.
Submitted by Michael E. Cassidy, for respondent.

On review of submissions pursuant to section 500.11 of the Rules, order affirmed, without costs (*see People ex rel. Negron v Superintendent, Woodbourne Corr. Facility*, __ NY3d __ [decided today]). Judges Rivera, Stein, Garcia, Wilson and Feinman concur. Chief Judge DiFiore and Judge Fahey dissent for reasons stated in the dissenting opinion in *People ex rel. Negron v Superintendent, Woodbourne Corr. Facility* (__ NY3d __ [Fahey, J. dissenting] [decided today]).

Decided November 23, 2020