

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

D54369  
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L. PRISCILLA HALL, J.P.  
LEONARD B. AUSTIN  
SANDRA L. SGROI  
LINDA CHRISTOPHER, JJ.

2016-08597

DECISION, ORDER & JUDGMENT

In the Matter of Ronald Ackridge, petitioner,  
v Barry Warhit, etc., et al., respondents.

Ronald Ackridge, Mount Vernon, NY, petitioner pro se.

Eric T. Schneiderman, Attorney General, New York, NY (Charles F. Sanders of  
counsel), for respondent.

Proceeding pursuant to CPLR article 78 in the nature of prohibition, inter alia, to prohibit the respondents from continuing with the prosecution of the petitioner in a criminal action entitled *People v Ackridge*, pending in the Supreme Court, Westchester County, under Indictment No. 16-143, and application by the petitioner for poor person relief.

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 petition is denied and the proceeding is dismissed on the merits, without costs or disbursements.

“Because of its extraordinary nature, prohibition is available only where there is a clear legal right, and then only when a court—in cases where judicial authority is challenged—acts or threatens to act either without jurisdiction or in excess of its authorized powers” (*Matter of Holtzman v Goldman*, 71 NY2d 564, 569; see *Matter of Rush v Mordue*, 68 NY2d 348, 352).

January 17, 2018

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MATTER OF ACKRIDGE v WARHIT

The petitioner has failed to establish a clear legal right to the relief sought.

HALL, J.P., AUSTIN, SGROI and CHRISTOPHER, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino  
Clerk of the Court