

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

D79330
G/htr

_____AD3d_____

Argued - December 15, 2025

MARK C. DILLON, J.P.
VALERIE BRATHWAITE NELSON
CARL J. LANDICINO
SUSAN QUIRK, JJ.

2025-14497

DECISION & JUDGMENT

The People, etc., ex rel. Sarina Larson, on behalf of
Jared Moore-Searles, petitioner, v Joseph K. Spano,
etc., respondent.

Clare J. Degnan, White Plains, NY (Sarina Larson pro se of counsel), for petitioner.

Susan Cacace, District Attorney, White Plains, NY (Brian R. Pouliot and Raffaolina
Gianfrancesco of counsel), for respondent.

Writ of habeas corpus in the nature of an application to release Jared Moore-Searles
upon his own recognizance or, in the alternative, to reduce bail upon Westchester County Docket
Nos. SMZ-72930-25, SMZ-72931-25, SMZ-72932-25, and SMZ-72933-25.

ADJUDGED that the writ is sustained, without costs or disbursements, to the extent
that a securing order dated October 24, 2025, is reinstated, and the matter is remitted to the County
Court, Westchester County, for a new hearing and determination on the application of Jared Moore-
Searles for bail reduction pursuant to CPL 530.30, and the writ is otherwise dismissed.

On October 24, 2025, after arraignment, the City Court of Yonkers set bail for each
of the four felony complaints filed against the principal, Jared Moore-Searles, in the sum of \$5,000
posted in the form of an insurance company bail bond, the sum of \$10,000 posted in the form of a
partially secured bond, with the requirement of 10% down, or the sum of \$750 deposited as a cash
bail alternative. The principal applied to the County Court, Westchester County, for bail reduction
pursuant to CPL 530.30. On November 3, 2025, the County Court, in effect, vacated the securing
order dated October 24, 2025, and set bail for each of the principal's four felony complaints in the
sum of \$10,000 posted in the form of an insurance company bail bond, the sum of \$20,000 posted
in the form of a partially secured bond, with the requirement of 10% down, or the sum of \$1,500
deposited as a cash bail alternative. The petitioner then commenced this proceeding for a writ of

December 16, 2025

Page 1.

PEOPLE EX REL. LARSON, on behalf of MOORE-SEARLES v SPANO

habeas corpus in the nature of an application to release the principal upon his own recognizance or, in the alternative, to reduce bail.

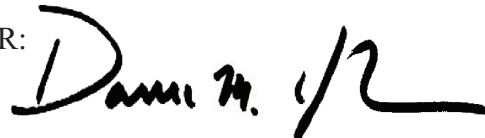
Pursuant to CPL 530.30(1)(c) and (d), “[w]hen a criminal action is pending in a local criminal court . . . a judge of a superior court holding a term thereof in the county, upon application of a defendant, may order . . . bail when such local criminal court . . . [h]as fixed bail . . . which is excessive; or . . . [h]as set a securing order of release under non-monetary conditions which are more restrictive than necessary to reasonably assure the defendant’s return to court.” “In such case, such superior court judge may vacate the order of such local criminal court and . . . where authorized, fix bail in a lesser amount or in a less burdensome form, . . . the determination for which shall be made in accordance with [CPL] 510.10” (*id.* § 530.30[1]).

“[I]t is a bedrock principle of statutory interpretation that ‘the Court’s primary consideration is to ascertain and give effect to the intention of the Legislature’” (*Matter of Town of Southampton v New York State Dept. of Envtl. Conservation*, 39 NY3d 201, 209, quoting *Matter of Mestecky v City of New York*, 30 NY3d 239, 243). “‘Since the clearest indicator of legislative intent is the statutory text, the starting point in any case of interpretation must always be the language itself, giving effect to the plain meaning thereof’” (*Matter of Wohl v Bruen*, 238 AD3d 818, 821 [internal quotation marks omitted], quoting *Matter of LaLota v New York State Bd. of Elections*, 183 AD3d 785, 788). Here, although a determination pursuant to CPL 530.30 is made de novo (*see People ex rel. Nevins v Brann*, 67 Misc 3d 638, 648-649 [Sup Ct, Queens County]; *People v Lora*, 51 Misc 3d 493, 496 [Monroe County Ct]), the plain language of CPL 530.30 does not authorize a superior court judge to order bail in a greater amount or more burdensome form than the bail fixed by the local criminal court (*see id.*; *People v Gruttola*, 72 Misc 2d 295, 296 [Crim Ct, NY County]). Accordingly, the writ is sustained to the extent that the principal is restored to his prior bail status pending a new hearing and determination on his application for bail reduction pursuant to CPL 530.30 (*see People ex rel. Cassar v Toulon*, _____ AD3d _____, _____, 2025 NY Slip Op 06531, *2; *People ex rel. Abate v Warden, Eric M. Taylor Ctr.*, 234 AD3d 899, 900).

In light of our determination, we do not reach the petitioner’s remaining contentions.

DILLON, J.P., BRATHWAITE NELSON, LANDICINO and QUIRK, JJ., concur.

ENTER:

A handwritten signature in black ink, appearing to read "Darrell M. Joseph" followed by a stylized flourish.

Darrell M. Joseph
Clerk of the Court