

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

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**KAH 15-00938**

PRESENT: SMITH, J.P., DEJOSEPH, NEMOYER, TROUTMAN, AND SCUDDER, JJ.

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THE PEOPLE OF THE STATE OF NEW YORK EX REL.  
JOHN HEMPHILL, PETITIONER-APPELLANT,

V

ORDER

BARRY MCCARDLE, SUPERINTENDENT, WATERTOWN  
CORRECTIONAL FACILITY AND ANTHONY J. ANNUCCI,  
ACTING COMMISSIONER, NEW YORK STATE DEPARTMENT  
OF CORRECTIONS AND COMMUNITY SUPERVISION,  
RESPONDENTS-RESPONDENTS.

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D.J. & J.A. CIRANDO, ESQS., SYRACUSE (JOHN A. CIRANDO OF COUNSEL), FOR  
PETITIONER-APPELLANT.

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (MARTIN A. HOTVET OF  
COUNSEL), FOR RESPONDENTS-RESPONDENTS.

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Appeal from a judgment (denominated order) of the Supreme Court,  
Jefferson County (James P. McClusky, J.), entered March 17, 2015 in a  
habeas corpus proceeding. The judgment denied the petition.

It is hereby ORDERED that the judgment so appealed from is  
unanimously affirmed without costs for reasons stated in the decision  
at Supreme Court.

Entered: February 3, 2017

Frances E. Cafarell  
Clerk of the Court