

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

252.2

KAH 25-00059

PRESENT: WHALEN, P.J., CURRAN, GREENWOOD, AND KEANE, JJ.

THE PEOPLE OF THE STATE OF NEW YORK
EX REL. MARTHA RAYNER, ESQ., ON BEHALF
OF STEVE COLEMAN, PETITIONER-APPELLANT,

V

ORDER

DANIEL F. MARTUSCELLO, III, COMMISSIONER,
NEW YORK STATE DEPARTMENT OF CORRECTIONS
AND COMMUNITY SUPERVISION,
RESPONDENT-RESPONDENT.

NEW YORK CIVIL LIBERTIES UNION FOUNDATION, NEW YORK CITY (DANIEL R.
LAMBRIGHT OF COUNSEL), AND PAROLE PREPARATION PROJECT, FOR
PETITIONER-APPELLANT.

LETITIA JAMES, ATTORNEY GENERAL, ALBANY (FRANK BRADY OF COUNSEL), FOR
RESPONDENT-RESPONDENT.

LOWENSTEIN SANDLER LLP, NEW YORK CITY (NATALIE J. KRANER OF COUNSEL),
FOR BIOMEDICAL ETHICISTS, AMICUS CURIAE.

MILBANK LLP, NEW YORK CITY (DANIEL M. PERRY OF COUNSEL), FOR
DISABILITY RIGHTS NEW YORK, AMICUS CURIAE.

Appeal from a judgment (denominated order) of the Supreme Court,
Erie County (Debra L. Givens, A.J.), entered October 9, 2024, in a
habeas corpus proceeding. The judgment denied and dismissed the
petition.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs as moot (*see People ex rel. Billinger v Harper*, 198 AD3d
1295, 1295 [4th Dept 2021]).

Entered: March 14, 2025

Ann Dillon Flynn
Clerk of the Court