

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

41

KAH 11-02187

PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, WHALEN, AND MARTOCHE, JJ.

THE PEOPLE OF THE STATE OF NEW YORK EX REL.
LAMONT REYNOLDS, PETITIONER-APPELLANT,

V

MEMORANDUM AND ORDER

DALE ARTUS, SUPERINTENDENT, GOWANDA CORRECTIONAL
FACILITY, AND BRIAN FISCHER, COMMISSIONER, NEW
YORK STATE DEPARTMENT OF CORRECTIONS AND
COMMUNITY SUPERVISION, RESPONDENTS-RESPONDENTS.

ROBERT M. GOLDSTEIN, BUFFALO, FOR PETITIONER-APPELLANT.

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

Appeal from a judgment (denominated order) of the Supreme Court,
Erie County (Christopher J. Burns, J.), entered September 27, 2011 in
a habeas corpus proceeding. The judgment dismissed the petition.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs.

Memorandum: Petitioner's appeal from the judgment dismissing his
petition for a writ of habeas corpus has been rendered moot inasmuch
as he reached the maximum expiration date of his sentence and was
released from custody on May 18, 2012 (*see People ex rel. Kent v New
York State Div. of Parole*, 87 AD3d 1205, 1206; *People ex rel. Brown v
LaClair*, 74 AD3d 1642, 1643; *People ex rel. Dickerson v Unger*, 62 AD3d
1262, 1263, *lv denied* 12 NY3d 716), and none of the issues raised
herein fall within the exception to the mootness doctrine (*see Matter
of Hearst Corp. v Clyne*, 50 NY2d 707, 714-715; *see generally
Dickerson*, 62 AD3d at 1263; *People ex rel. Faison v Travis*, 277 AD2d
916, 916, *lv denied* 96 NY2d 705).

Entered: February 8, 2013

Frances E. Cafarell
Clerk of the Court