

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

996

CA 15-01410

PRESENT: WHALEN, P.J., PERADOTTO, NEMOYER, CURRAN, AND TROUTMAN, JJ.

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IN THE MATTER OF THE APPLICATION OF PETER J.  
RUSSELL, INTERIM EXECUTIVE DIRECTOR, OF CENTRAL  
NEW YORK PSYCHIATRIC CENTER,  
PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

JASON TRIPP, A PATIENT AT CENTRAL NEW YORK  
PSYCHIATRIC CENTER, CONSECUTIVE NO. 21706,  
RESPONDENT-APPELLANT.

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EMMETT J. CREAHAN, DIRECTOR, MENTAL HYGIENE LEGAL SERVICE, UTICA  
(BRYCE THERRIEN OF COUNSEL), FOR RESPONDENT-APPELLANT.

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL, ALBANY (PATRICK A. WOODS OF  
COUNSEL), FOR PETITIONER-RESPONDENT.

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Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered July 20, 2015. The order, inter alia, granted the application of petitioner for authorization to administer medication to respondent over his objection.

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

Memorandum: Respondent appeals from an order granting petitioner's application for authorization to administer medication to respondent over his objection. The order has since expired, rendering this appeal moot (*see Matter of Bosco [Quinton F.]*, 100 AD3d 1525, 1526). Contrary to respondent's contention, this case does not fall within the exception to the mootness doctrine (*see Matter of McGrath*, 245 AD2d 1081, 1082; *see generally Matter of Hearst Corp. v Clyne*, 50 NY2d 707, 714-715).

Entered: November 10, 2016

Frances E. Cafarell  
Clerk of the Court