

**Matter of JAMES O. YOUNG v DANIEL F. MARTUSCELLO
III, as Commr. of Corr. & Community Supervision**

Motion No: CV-24-0462

Slip Opinion No: 2026 NY Slip Op 68257(U)

Decided on May 15, 2026

Appellate Division, Third Department, Motion Decision

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State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: May 15, 2026

CV-24-0462

In the Matter of JAMES O. YOUNG,
Appellant,

v

DECISION AND ORDER
ON MOTION

DANIEL F. MARTUSCELLO III, as
Commissioner of Corrections
and Community Supervision,
et al.,
Respondents.

Motion to vacate dismissal of appeal.

Motion for permission to proceed on the original papers filed in the County Clerk's office.

Upon the papers filed in support of the motions and the papers filed in opposition to the motion to vacate the dismissal of the appeal, it is

ORDERED that the motion for permission to proceed on the original papers filed in the County Clerk's office is granted, without costs, and it is further

ORDERED that the motion to vacate the dismissal of the appeal is granted, without costs, the dismissal of the appeal is vacated (*see* 22 NYCRR 1250.10 [c]) and the time to perfect the appeal is extended to July 14, 2026.

Clark, J.P., McShan, Mackey and Ryba, JJ., concur.

ENTER:



Robert D. Mayberger
Clerk of the Court