

**Matter of DANIEL A. BARLETTA v SUPERINTENDENT OF  
ELMIRA CORRECTIONAL FACILITY**

Motion No: CV-26-0215

Slip Opinion No: 2026 NY Slip Op 69246(U)

Decided on May 26, 2026

Appellate Division, Third Department, Motion Decision

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This motion is uncorrected and is not subject to publication in the  
Official Reports.

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

Decided and Entered: May 26, 2026

CV-26-0215

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In the Matter of DANIEL A.  
BARLETTA,

Appellant,

v

SUPERINTENDENT OF ELMIRA  
CORRECTIONAL FACILITY,  
Respondent.

DECISION AND ORDER  
ON MOTION

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Motion to waive costs, fees and expenses and for permission to proceed on original record.

Upon the papers filed in support of the motion and no papers having been filed in opposition thereto, it is

ORDERED that the motion to waive costs, fees and expenses is granted, without costs, to the extent that the filing fees required by CPLR 8022 are waived, and it is further

ORDERED that the motion for permission to proceed on the original record is granted, without costs, and the appeal may be perfected upon the original papers filed in the office of the county clerk, one signed original brief and appendix conforming to section 1250.8 of the Practice Rules of the Appellate Division, and two copies of the appellant's brief and appendix.

Garry, P.J., Pritzker, Powers and Mackey, JJ., concur.

ENTER:



Robert D. Mayberger  
Clerk of the Court