

**People ex rel. Wayne James, etc v Warden, Rikers Is. Corr.  
Facility & N.Y. State Dept. of Corr. & Community  
Supervision**

Motion No: 2021-01478

Slip Opinion No: 2021 NYSlipOp 67610(U)

Decided on June 15, 2021

Appellate Division, First Department, Motion Decision

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

**Supreme Court of the State of New York**  
**Appellate Division, First Judicial Department**

Present – Hon. Judith J. Gische,  
Cynthia S. Kern  
Jeffrey K. Oing  
Saliann Scarpulla  
Martin Shulman,

Justice Presiding,

Justices.

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The People of the State of New York,  
ex rel. Wayne James, etc.,  
Petitioner-Appellant,

Motion No. **2021-01478**  
Index Nos. 341089/2011  
340303/2020  
Case No. 2013-20812

-against-

Warden, Rikers Island Correctional Facility  
and New York State Department of  
Corrections and Community Supervision,  
Respondents-Respondents.

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Petitioner-appellant having moved, pro se, for leave to prosecute, as a poor person, the appeal taken to this Court from an order of the Supreme Court, Bronx County, entered on or about March 25, 2021, which dismissed his mandamus petition against the New York State Department of Corrections and Community Supervision, and for the assignment of counsel,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTERED: June 15, 2021



Susanna Molina Rojas  
Clerk of the Court