

People ex rel. Mitchell v Apple

Motion No: CV-24-1123

Slip Opinion No: 2024 NY Slip Op 73800(U)

Decided on September 05, 2024

Appellate Division, Third Department, Motion Decision

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

Decided and Entered: September 5, 2024

CV-24-1123

THE PEOPLE OF THE STATE OF
NEW YORK ex rel. DONTIE
MITCHELL,

Petitioner,

v

CRAIG APPLE, Albany County
Sheriff,

Respondent.

DECISION AND ORDER
ON MOTION

Application, pursuant to CPLR 7002 (b), for writ of habeas corpus.

Motion for permission to proceed as a poor person.

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

ORDERED that the motion for permission to proceed as a poor person is granted, without costs, only to the extent that the filing fee for the application for a writ of habeas corpus (*see* CPLR 8022) is waived, and it is further

ORDERED that the application for a writ of habeas corpus is denied, without costs.

Egan Jr., J.P., Aarons, Ceresia and Fisher, JJ., concur.

ENTER:



Robert D. Mayberger
Clerk of the Court