

People ex rel. Amaury Urena v Warden, NYC Dept. of Corr.

Motion No: 2024-02323

Slip Opinion No: 2024 NY Slip Op 76601(U)

Decided on October 17, 2024

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. Sallie Manzanet-Daniels,
Barbara R. Kapnick
Lizbeth González
Martin Shulman
Llinét M. Rosado,

Justice Presiding,

Justices.

The People of the State of New York,
ex rel. Amaury Urena
Petitioner,

Motion No. **2024-02323**
Ind. No. 70083/24
Case No. 2024-03073
NYSID No. 06036513J

-against-

Warden, NYC Dept. of Correction,
Respondent(s).

Petitioner, pro se, having moved for, inter alia, a writ of habeas corpus to be issued from this Court, and for leave to prosecute the petition, as a poor person, for leave to have the petition heard on the original record and upon a reproduced petitioner's brief, and for other relief,

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 be and the same hereby is granted only to the extent of transferring the proceeding to be heard before a Justice of the Supreme Court of the State of New York, Bronx County, forthwith (see CPLR 7002[b][5], and

It is further ordered that service by mail of a copy of this writ of habeas corpus petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at 19-19 Hazen Street, Rikers Island, Elmhurst, New York 11370; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of Bronx, 198 E. 161st Street Bronx, New York 10451, be deemed due and sufficient notice, and it is further

Ordered that the branch of the motion which seeks to prosecute the petition as a poor person, is denied without prejudice to further proceedings before Supreme Court.

ENTERED: October 17, 2024

A handwritten signature in black ink, appearing to read "Susanna Molina Rojas". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Susanna Molina Rojas
Clerk of the Court