

**People ex rel. Michelle McGrath v Daniel Martuscello,
Acting Commr., N.Y. State Dept. of Corr. & Community
Supervision**

Motion No: 2025-02697

Slip Opinion No: 2025 NY Slip Op 74084(U)

Decided on August 07, 2025

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

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. Peter H. Moulton,
Tanya R. Kennedy
David Friedman
Lizbeth González
Manuel J. Mendez,

Justice Presiding,

Justices.

The People of the State of New York, ex rel.
Michelle McGrath, Esq., on behalf of Van
Caffee,
Petitioner-Appellant,

Motion No. **2025-02697**
Index No. 802491/25E
Case No. 2025-01564

-against-

Daniel Martuscello, Acting Commissioner,
New York State Department of Corrections
and Community Supervision; Lynelle
Maginley-Liddie, Commissioner, New York
City Department of Correction,
Respondents-Respondents.

Respondents-respondents having moved to dismiss, as moot, the appeal taken to this Court from a judgment of the Supreme Court, Bronx County, entered on or about February 26, 2025,

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 granted.

ENTERED: August 07, 2025



Susanna Molina Rojas
Clerk of the Court